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People queuing for food supplies in Jaffna (Top)
Defence Secretary G Rajapakse (left), after surviving suicide attack seen with President Rajapakse and other brother Basil Rajapkse

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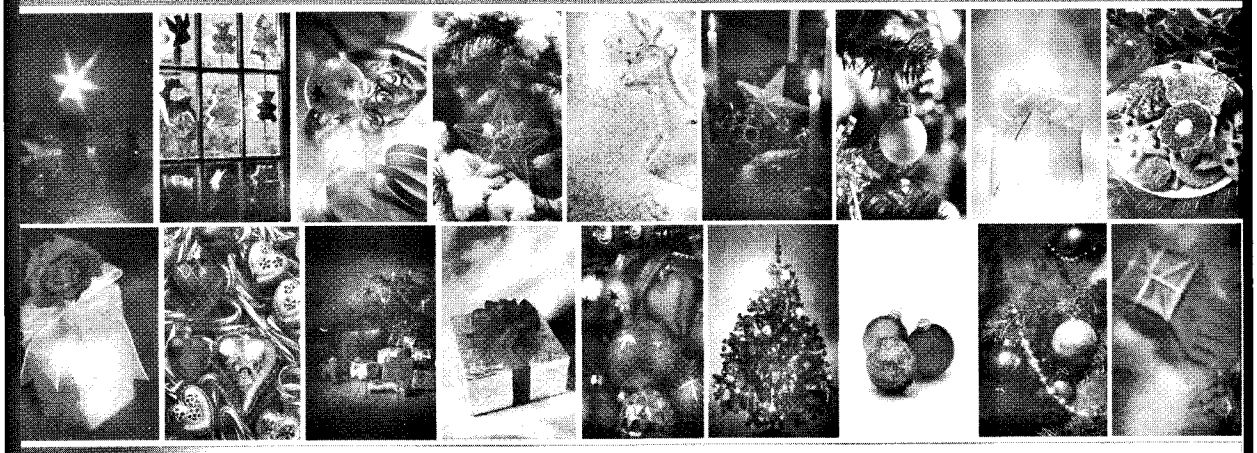

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- Voltaire

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A grim prospect

On 27 November, in his annual speech, the LTTE leader declared that he was left with no other option but intensify the struggle for an independent state for the people of Tamil Eelam. Four days later, in the heart of the capital city, a suspected Tamil Tiger suicide bomber in a three-wheeler packed with explosives rammed his vehicle into the Defence Secretary's motorcade in a bid to assassinate him. In the aftermath of this failed assassination bid, President Rajapakse declared his version of "the war on terror" promising to defeat 'terrorism'. In what can be described as heralding a new anti-terror regime in Sri Lanka, the Government decided to introduce tougher Emergency Regulation and invoke the provisions of the draconian Prevention of Terrorism Act.

The President certainly took a leaf from US President Bush's book in addressing the nation on the day the new Emergency Regulations were announced, when he declared, 'either you are with the terrorists or with the common man who is opposed to the terrorists'. "Nobody can represent both these sides at any one time."

Though the new Prevention and Prohibition of Terrorism and Specified Terrorist Activities Regulations are aimed at what the Government describes as the threat from the "terrorist activities" of the LTTE, they are generally applicable to all those who are suspected or alleged to be involved in such activities or activities that have a bearing on national security.

The introduction of tougher ERs and bringing back the PTA into operation granting increased powers of arrest and detention without trial to the police and security forces can only serve to make an already bad situation worse.

Since December last year, an estimated 3,500 persons have been killed in the ongoing military confrontation between government forces and the LTTE. Among those killed are at least a thousand government soldiers. On its own admission, 818 LTTE cadres were killed in the course of this year alone. Scores of killings have been attributed to the Karuna Group and many of its members also have been killed. The rest are civilians killed in a war not of their choosing but fought in their name. Other than in Iraq and in the Darfur region of Sudan, no other country in the world is currently witnessing such colossal bloodletting and carnage on a day to day basis.

Much worse is the manner in which the military confrontation is being pursued with no regard for humanitarian concerns. The closure of the A9 road, the only land route between Jaffna and the mainland, has produced a grave humanitarian crisis and left the people of the peninsula cut off from the rest of the country and without adequate supplies of food and medicines.

As the fighting escalated in the east where the military has launched operations to recapture LTTE-controlled Vaharai, thousands of civilians have been displaced and international humanitarian organisations operating in the island have expressed grave concern about the developing humanitarian crisis.

Expressing deep concern about the injuries, loss of life and displacement of civilians resulting from artillery exchanges between the security forces and the LTTE, the ICRC, UN and SLMM have called upon both the Government and the LTTE to protect the lives of civilians, as well as facilitate the delivery of humanitarian aid to them. They said that all fundamental rights were currently being breached and it was imperative that direct shelling where civilians reside stops and the civilian population must be granted full and unhindered freedom of movement away from military operations.

On the political level, even as the ceasefire is being treated by both sides as defunct, there is absolutely no movement in the so-called peace process. The Norwegian Special Envoy Jon Hanssen-Bauer returned to Oslo a deeply disappointed man after spending nearly ten days in the island engaging in fruitless talks with government leaders in Colombo and LTTE leaders in Kilinochchi.

Overall, the balance sheet for the year gone by presents a tragic and depressing picture. As for the year ahead, unless the parties to the conflict decide to change from their present course of confrontation and conflict, the prospect that is on offer appears to be grim.

ICRC, UN, SLMM express grave concern

Dec 13 – International humanitarian organisations operating in Sri Lanka have expressed grave concern about the developing humanitarian crisis as the fighting between the military and the Tamil Tigers escalated in the east of the country displacing thousands of civilians.

The International Committee of the Red Cross (ICRC) on Tuesday (12) said it was 'deeply concerned' about the prevailing situation in the Trincomalee district and called upon both the Government and the LTTE to protect the lives of civilians, as well as facilitate the delivery of humanitarian aid to them.

The ICRC, in a statement, said it is deeply concerned about the injuries, loss of life and displacement of civilians, resulting from four consecutive days of artillery exchanges between the security forces and the LTTE, in the Kallar, Somapura and Sirimangalapura areas in the Trincomalee district. The ICRC urged the parties to respect the freedom of movement of internally displaced people.

According to the ICRC, more than 2,300 civilians had already abandoned their homes in the Kallar area and reached Kantale town, while at least a thousand are on the road and trying to flee the fighting. The ICRC immediately provided these displaced families with 800 hygiene kits (soap, washing powder, razors, bath towels and shampoo), 600 jerry cans and 300 tarpaulins.

The ICRC is also installing sanitary facilities and water-distribution systems at the Bathiyagama School in Kantale town, where more than 500 displaced people took shelter. This relief operation was launched in co-operation with the local authorities and other humanitarian organizations, including UNICEF and UNHCR, currently operating on the ground,

The United Nations joined the ICRC expressing grave concern over the deteriorating prospects facing civilians in the LTTE-held Vakarai area in the east as intense shelling continues for the fifth day in the area.

The statement issued by the UN Resident Humanitarian Coordinator in Sri Lanka said, "The United Nations is gravely concerned at the deteriorating prospects facing civilians in Vaharai as intense shelling continues for the fifth day in the area. An unconfirmed number of civilians are dead with dozens lying wounded at Vaharai hospital. Innocent civilians and school children suffered direct attacks on a school and private homes. In Trincomalee district, some 2,500 civilians left their homes and took refuge in Kantale.

"Humanitarian agencies are delivering immediate assistance to the affected population and stand ready to undertake humanitarian response operations to address evolving needs.

"The United Nations is deeply concerned about indiscriminate shelling of civilian residential areas, leading to death, injuries and evacuation of communities to Kantale and surrounding areas, out of danger zones.

"The critical need of the moment is the protection of these desperate civilians. All fundamental rights are currently being breached in areas like Vaharai and villages in Trincomalee District and it is imperative that direct shelling where civilians reside stops and the civilian population must be granted full and unhindered freedom of movement, away from military operations. The wounded need to be evacuated and assistance and protection to the civilian population must be guaranteed.

"Some 35,000 people remain trapped along a sliver of land where government forces and the LTTE are engaged in a military campaign.

"On November 29 a humanitarian convoy comprising 90 trucks, carrying much needed humanitarian assistance reached the area after a period of almost one month. That convoy was able to deliver essential food items as well as medical supplies. More life sustaining relief supplies are needed urgently.

"We urgently expect the parties to adhere to their responsibilities under international humanitarian law to ensure protection of civilians and their freedom of movement, and unimpeded and secure access for international humanitarian actors to the north and east of the country."

More than 1200 civilians have been killed so far this year in the crossfire of renewed civil war between the state and the Liberation Tigers of Tamil Eelam, according to truce monitors, and thousands are fleeing fighting in the east.

The Tigers say dozens of civilians have been killed by army artillery fire around the rebel-held town of Vakarai in the eastern district of Batticaloa since Saturday, while the army accuses the Tigers of using civilians as human shields.

About 30000-35000 displaced minority Tamils are living in camps in Vakarai, while more than 3000 majority Sinhalese in government-held territory in neighbouring Trincomalee district have fled rebel artillery fire.

The Sri Lanka Monitoring Mission, SLMM, said in a statement that it "is deeply concerned over the escalating violence in the area between Batticaloa and Trincomalee in the east part of Sri Lanka. The violence does not only put the Cease Fire Agreement, CFA, into great danger, but jeopardizes lives of thousands of innocent civilians, especially internally displaced people in the Vakarai area.

"The LTTE has failed to protect civilians in Vakarai by restricting their movements. It is the responsibility of the LTTE to do their utmost to facilitate for these innocent civilians to reach safe ground. The SLMM has contrary to acceptable practices on one occasion experienced that civil-

ians were being hindered from exiting the area.

"The SLMM has not been able to monitor the situation as well as it would have wanted as monitors have been continuously refused access by the SLA into the areas of concern. The SLA has cited security reasons for this. SLMM has on countless occasions tried to patrol into Vakarai and most recently in the Kallar area for inspections. Restriction of SLMM access by GOSL forces to areas where violations may have taken place is in itself a violation of the CFA and more mportantly prevents the SLMM from working according to its mandate given to them by the Parties.

"In this alarming situation, the SLMM reminds the Parties that they "shall in accordance with international law abstain from hostile acts against the civilian population. The SLMM urges the Parties to do their utmost to respect the CFA and to refrain from any further violence in the area."

Meanwhile, the government has asked the International Committee of the Red Cross and foreign cease-fire monitors to seek the assistance from the LTTE to create a safe haven for about 35,000 civilians caught in escalating violence in eastern Sri Lanka. "We have made the proposal and we are waiting for a response," Palitha Kohona, the chief of Sri Lanka's Peace Secretariat, told the media adding that the Tigers have been using displaced civilians as human shields.

The ICRC said it is in constant touch with the government and Liberation Tigers of Tamil Eelam to find ways to protect civilians. "Discussions are going on, but the issue is the responsibility of the government and the LTTE. We can only help but we cannot impose our decision," ICRC spokesman Davide Vignati said.

The LTTE hit back, accusing the government of blocking a road and making it difficult for displaced people to reach safer places. "In spite of these random shellings that have so far taken 89 refugee lives, the assault has not been condemned," the LTTE said in a statement. "Accusations are being made that the LTTE is not allowing people to leave. At least the A-15 route could be opened and (only) then accusations could be made that the LTTE is preventing the people from leaving,'" the LTTE said.

The government closed the A-15 route connecting the Vaharai area with the rest of the district in mid-September in an attempt to prevent the Tigers from moving their fighters and weapons for new attacks.

On December 11 (Monday) dozens of civilians wounded during the previous two days of shelling in Vakarai were evacuated for treatment, officials said, as the LTTE spokesman put civilian deaths at 41.

Medical sources in the Vakarai hospital inside territory held by the LTTE said that 27 dead bodies of civilians were brought there. "We also have 65 people wounded who have been brought for treatment," a medical source said. He said some areas were still unreachable due to fears of shelling. About 25 of the more seriously wounded were evacuated to a better-equipped hospital inside the government-held Batticaloa town with the help of the Red Cross, officials said.

The defence ministry said it had launched a ground offensive on Sunday to neutralise rebel long range weapons, and did not fire multi-barrel rockets, artillery or mortar bombs to protect civilians.

During Sunday's ground offensive "24 security forces personnel sacrificed their lives in this process while another 69 sustained injuries due to ground obstacles," the ministry said. The LTTE said at least 41 civilians were killed and many more wounded in the areas bordering the Trincomalee and Batticaloa districts.

Six civilians were also killed in this district on four days earlier when the Tigers hit a school and a village of the majority Sinhalese community, the defence ministry said. In regard to this incident, the Roberto Petronio, ICRC deputy head of sub-delegation in Trincomalee.said, "The ICRC is appalled that 4 civilians, including 1 child, lost their lives and 10 students were wounded, some of them very severely, as a result of mortar attack that hit the local school and the centre of the town.

"At around 11:00 AM, on the way from Kantale to Mutur passing Kallar village, we suddenly found ourselves in the middle of artillery shelling. We saw black smoke rising from the school compound. Students were running away for safety. The civilians informed us that some wounded people needed urgent help. At the scene, we found one wounded women teacher, two boy students and one little girl who we managed to evacuate to Kantale hospital.

"The ICRC urgently calls upon both parties to ensure that the civilian population and civilian objects are respected and protected in all circumstances."

"The ICRC urges both parties to protect the civilian population against the effects of hostilities, we are very concerned about the consequences of the fighting in the life of civilians caught in it", said Toon Vandenhove, the ICRC's head of delegation in Colombo. *

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NEWS REVIEW

Peace Envoy returns after disappointing visit

Dec 10 - Even as the military skirmishes between government forces and the Tigers were escalating particularly in the east, Norway's Special Envoy to the peace process, Jon Hanssen-Bauer, visited Sri Lanka to witness first hand the deteriorating situation. He had no specific pre-announced agenda for his visit, but it was an attempt on his part to salvage what is left of the peace process and the ceasefire which had been deemed 'defunct' by the LTTE leader.

Bauer's presence in Colombo did not deter the Tigers from carrying out the suicide bomb attack on the Defence Secretary in the heart of the capital in an attempt to assassinate him. Nor did it prevent the armed forces of the government from pursuing its military agenda in the east to capture Tiger-controlled Vakarai. If Mr. Bauer thought by talking to the both sides, he could salvage something out of what is left of the so-called peace process, it was clear that he was going to be disappointed.

In a hardening of position following suicide attack the Government requested Mr Buer not to undertake his intended visit to Kilinochchi fixed Tuesday 5 December to discuss matters with the political head of the Tigers, S P Tamilchelvan. The government advised him that he should postpone his trip on the basis that the Government was reviewing its relationship with the LTTE. He was told that he could await the outcome of the cabinet meeting fixed for the following day (Wednesday 6) at which certain decisions were going to be made as a reaction to the suicide bomb attack. At that time the Government was not only contemplating tougher Emergency Regulations, but also the prospect of proscribing the LTTE.

With Government eventually deciding not to ban the LTTE, Mr Buer's visit to Kilinochchi was given the go-ahead with the government asking the Norwegian Envoy to secure the consent of the LTTE on three matters:

(1) Government's proposal to send a convoy of urgent relief supplies along the A9 road and through the Muhamalai checkpoint to Jaffna;

(2) The LTTE to allow the 4,000 private traders in the Jaffna peninsula to operate freely without intimidation; and

(3) The Government's proposal to create a safe haven for Internally Displaced Persons (IDPs) in Vakarai in the east of the country.

Apparently, the Government also asked Norwegian envoy to facilitate the next round of direct talks with the Tamil Tigers. The Government's spokesman, Keheliya Rambukwella, told reporters at a media briefing in Colombo, "We have asked him to arrange the next round of talks."

Mr. Buer flew to Kilinochchi on Friday 8 December together with Norwegian Ambassador Hans Brattskar to have his much delayed discussions with the LTTE leadership.

At Kilinochchi Mr Tamilselvan had told the Norwegians that it was the actions by the Government that had rendered the CFA 'defunct', and that the LTTE was prepared to continue adhering to the CFA provided the Government also did so and unconditionally reopened the A9-Jaffna Kandy Road. In regard to Vakarai, what was needed was that the A-15 access road should be reopened, he had said.

Following the meeting between Mr. Bauer and the LTTE, TamilNet reported Mr. Thamilchelvan, as having told the Norwegian envoy, that the re-opening of A9 and A15 land routes constituted basic humanitarian priorities for the survival of the civilian population. "It is critical that the International Community addresses the issue of Colombo's cooperation in re-opening of A9 and A15 landroutes ensuring the Tamil people their top-most basic humanitarian need,"

A press release issued after Bauer-Thamilselvan talks in Kilinochchi said among other matters, that the "final straw that appears to have broken the back of the CFA is the introduction of new regulations under the Public Security Ordinance, which is the old PTA under a new cloak." The statement also criticised Norway and the international communituy for "encouraging the Rajapaksa government on its genocidal programme" and warned that "a military solution will steadily push the island into monumental irrecoverable state of destruction."

Returning to Colombo the same evening after his talks with the LTTE's political leader, the Norwegian envoy met Peace Secretariat Secretary General Palitha Kohona and Foreign Minister Mangala Samaraweera and reported the outcome of his talks Mr.Thamilselvan who had promptly rejected the three requests made by the Government. As to the next round of talks which Colombo had asked Mr Bauer to arrange, there was not even a mention of it.

The following day a very much disappointed Mr Bauer, having spent nearly ten days in the island, took a direct flight on his return journey to Oslo avoiding the normal courtesy of a stopover in New Delhi to brief the Indian government about the outcome of his endeavours in the island. Perhaps there was nothing worthwhile to report.

Bishop expresses concern over PTA and new regulations

Dec 11 - Colombo's Anglican Bishop the Rt. Revd. Duleep de Chickera has expressed concern that the implementation of the Prevention of Terrorism Act and other tough new regulations might further alienate the Tamil people who are committed to peace and democracy. While strongly condemning the recent attempt to kill Defence Secretary Gotabhaya Rajapaksa, the Bishop appealed to the government to demonstrate its commitment to a negotiated peace settlement with justice and dignity for all by reviewing the decision to introduce these new regulations.

The Bishop said: "The attempted assassination of the Defence Secretary a few days ago in the heart of Colombo stunned the Nation. This senseless act clearly points to the LTTE and must be condemned forthright. Such an attack indicates a provocative agenda that runs counter to a negotiated peace settlement of the National Question, and can cause a major set-back in our work for peace.

"In such a provocative situation, the Government must provide prudent leadership and act with restraint, wisdom and foresight. The challenge the Government faces is to certainly take note of such threats and ensure protection for all; and yet rise above the culture of reaction and counter violence, physical or structural.

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To resort to the same weapons and methods that we condemn is to lose control, feed the cycle of confrontation and jeopardise the peace process.

"The decision not to proscribe the LTTE demonstrates this prudent leadership and needs to be commended. Proscription would have closed the door to dialogue and further delayed the long, overdue negotiated settlement.

"The Government's decision to introduce new regulations on the lines of the PTA is however worrying. Many still have painful memories of the harsh impact of the PTA on the life of the Nation not too long ago. It was political wisdom coupled with political will that finally led to it being suspended. The existing laws under the Penal Code and the Prevention of Terrorist Financing Act passed in 2005, I believe, are adequate to deal with the current threats.

"In spite of assurances and intentions, the Government's inability to arrest the deteriorating humanitarian crises in Jaffna, Kilinochchi and Vakarai, no doubt aggravated by LTTE intransigence, reveals that in conflicts such as ours it is civilians who suffer most. In this context as well as the serious prevailing culture of impunity demonstrated in the daily abductions and killings of mostly Tamils, the implementation of this decision is likely to further alienate the Tamils of our nation and drive them away from the desire or hope for a negotiated settlement within a united Sri Lanka. What we need to prevent is the silencing of voices and the frustration of the endeavours of indispensable independent Tamils for peace.Equally serious, these regulations could be used to intimidate alternate and dissenting voices within other communities as well.

"As a religious leader I am compelled to emphasize that all our religions teach that an ethos of dialogue with and respect for the other, based on the Ahimsa anti-violence approach to conflict transformation, will finally triumph.

"This is why the world reveres the Buddha, Prophet Mohamed, the Hindu sages and Christ; and generations respect the Gandhis and Luther Kings and Mandelas. They taught us to sustain and re-endorse these values as the best antidote to recurring provocative acts of violence, and we must be prepared to learn these lessons.

"Upholding these values will also empower the law enforcement authorities to receive co-operation from the civilian population and so more effectively enforce law, order and security in the face of violent provocations.

"Consequently, I urge the Government to demonstrate its commitment to a negotiated peace settlement with justice and dignity for all by reviewing the decision to introduce these new regulations."

The Humanitarian Crisis and the A9 Road dispute

The National Anti-War Front (NAWF) in a statement said that it "has been supporting the efforts of the international community and local organisations to end the deadlock that is disrupting the flow of food, fuel and essential goods to Jaffna and the North. So far we have had little success.

"If the government and the LTTE really cared about ordinary people they could have worked out an arrangement to resume regular supplies by now. They

would also have worked out a practical revenue collection and distribution mechanism to facilitate the administration of areas held by LTTE under the cease-fire agreement. The government faces no real security threat from opening the road – this is an excuse - its main concern is to stop the LTTE from collecting millions of rupees in revenue each day. The LTTE for its part obstructs alternative supply arrangements because its main interest is collecting this revenue which is most easily done by taxing goods carried by trucks on the A9.

"It is a pity that the international community limits itself to issuing statements and condemnations. Is it not clear that the belligerents have long ago decided to pay scant respect to empty words? The thinking is: "Let them rant; what do we care?" Unless the international community engages in positive and practical measures the belligerents will do as they please. The actions taken in Europe and the US against the LTTE earlier this year has perceptibly influenced its behaviour. This shows that practical measures elicit a response and should be used against both sides when necessary.

"The NAWF has consistently campaigned for the opening of the A9 Road. We are glad that President Mahinda Rajapakse has decided to use the A9 to make a one-of delivery of essential food items and other goods. We urge the LTTE to cooperate with the Government in this confidence building process. We see this as a step in regaining trust of the people who are currently undergoing hardships and suffering as a result of the blockade.

"We further urge the Government and the LTTE not to use the suffering people as hostages, not to use them as a shield or consider them as collateral damage in pursuit of its military objectives. We would like the Government and the LTTE to discuss immediately ways and means of creating a permanent humanitarian corridor to ensure that food and essential supplies like oil, kerosene, diesel, petrol as well as school books for children are delivered, particularly during Thaipongal and Christmas."

'Shocking violations' of rights of journalists

Dec 6 - The International Federation of Journalists (IFJ) is disturbed by Sri Lankan journalists' continued suffering at the hands of authorities, after two journalists were detained by the military and police assaulted a photojournalist, while another journalist remains in detention under anti-terrorist legislation.

"The situation in Sri Lanka continues to deteriorate with these latest press freedom abuses at the hands of authorities, further highlighting the vital need for the Sri Lankan government to intervene and ensure journalists' rights are protected," the IFJ President Christopher Warren said.

According to an IFJ affiliate, the Free Media Movement (FMM), two journalists from the weekly Sathdina Sinhala were taken into custody on November 5 by military personnel, while meeting with union leaders of Sri Lanka Telecom HQ, which is situated in a high security zone.

The FMM reports that the military delivered the journalists, Saman Janaka and Jayasiri Wikramasingha, to a police station where police questioned them for five hours, stripped their camera of film and confiscated photos of a picketing campaign by Telecom employees. The pair were reportedly only released after their editor, Sri Lal Priyantha, made verbal assurances.

A week earlier, Asoka Fernando, the deputy photo editor of The Sunday Leader, was assaulted and had his camera smashed by police officers at a temple in Pannipitiya on November 28. The FMM reported that Fernando sustained minor injuries and was detained until the following afternoon by the Maharagama police, on the utskirts of Colombo, after facing Gangodawila magistrate's court on a criminal charge.

The FMM said that Fernando photographed clashes between police and civilians inside the temple before police turned on him, beating him and smashing his digital camera, valued at approximately US $1848.

"It is a disgraceful situation when a photojournalist is not only prevented from doing his job, but also is physically assaulted by police who are supposed to be there to maintain order," the IFJ President said.

Meanwhile, detention continues for Parameswaree Maunasami, writer for the weekly Mawbima, who was arrested at her home south of Colombo on November 24, according to the FMM. Local sources said she is being held under anti-terrorist legislation that allows for prolonged detention without charge, and authorities have given no reason for her arrest. According to local reports, Maunasami may have been arrested for her work at the paper covering the separatist conflict between the Sri Lankan military and the Liberation Tigers of Tamil Eelam rebels.

"Considering Sri Lanka's recent history of Tamil journalists being unfairly targeted, the IFJ calls for authorities to fully explain their detention of Maunasami and to expedite their inquiries or release her immediately," Warren said.

"It is a deeply concerning sign of a new low in Sri Lanka, where members of the police force and military are using their powers to control and dominate journalists, instead of fulfilling their duty to uphold and protect a free and independent media," the IFJ president said. "The IFJ again calls on the government of Sri Lanka to take swift action to send a message to all parties that the rights and safety of journalists must be respected at all times," Warren said.

Monthly toll of killings in Jaffna at least 50

More than 50 people are being killed every month in the Jaffna peninsula, the Human Rights Commission (HRC) in Jaffna said. An official at the HRC office ssaid the statistics were based on the complaints received by the organisation alone and added there were many instances where cases were not brought to the notice of any human rights or humanitarian organisations.

"There are many cases which have not been reported to the HRC and have gone unnoticed," the official said, adding that the killings and abductions increased drastically after the closing of the A9 road in August.

"The number of complaints increased drastically after August. The people are basically trapped here and are not in a position to leave the peninsula. The situation is very bad for the people who are already under threat. The killings and abductions have been continuing for many months but worsened recently," the official said.

During the same period of time, more than 30 civilians had come to the organisation seeking protection, fearing for their lives, he said. The HRC stated the civilians were handed over to the police, as it was not in a position to give them protection.

"The persons who have escaped attacks and those who are under threat

have complained to the HRC and have asked for protection. More than 30 people have requested protection from us. We can only look into the complaints and investigate. We are not in a position to give them protection. Therefore, we handed the civilians over to the police stations. That is the maximum we could do for the civilians," the official added.

SLLM confirms army killing of students

Nov 20 - The death of 5 students of a farm school in Vavuniya has aroused controversy after the Sri Lanka Monitoring Mission on 19 November said according to eyewitnesses and initial investigations by the monitors a group of soldiers had rounded up the students and fired indiscriminately at them. The military had earlier claimed that the students were caught up in the crossfire with the LTTE following a claymore attack on soldiers travelling in a truck.

Military spokesman Brigadier Prasad Samarasinghe claimed that following the claymore attack on an army truck which killed 5 soldiers on Saturday (18) the LTTE had opened fire on the troops using the farm school as a shield thus placing the lives of the students at risk.

However the SLMM after recording statements from the school principal, students and other eyewitnesses told the media there was no evidence to substantiate the military claims and instead claimed that a group of soldiers had jumped into the farm school, rounded up the students, assaulted them using the rifles and then opened fire indiscriminately killing 4 students on the spot while another succumbed to his injuries in hospital.

Another 12 students were injured in the shooting carried out to avenge the death of soldiers caught up in the LTTE claymore attack some 15 meters away from the Thandikulam Agriculture Farm School.

"According to eyewitnesses and our initial investigation the students lay on the ground when they heard the sound of the claymore explosion. A few minutes later a group of soldiers had reportedly jumped over the school fence, rounded up the students, assaulted them even though some of the students spoke in Singhalese and said they were innocent. The soldiers later opened fire executing 4 of the students. Another student died in hospital," an SLMM official told the media on the condition of anonymity.

"According to witnesses the students were all shot at close range while they laying face down," SLMM acting spokesperson Helen Ollasfdotir said.

Norway denies Karuna's 'false claims'

Nov 29 - The Norwegian government has angrily rejected a report in a newspaper in Sri Lanka that its peace mediator and International Development Minister Erik Solheim had given money to the leader of the Tamil Tigers.

The 'Daily News'published an interview on Monday (27) with the breakaway former LTTE commander, 'Col. Karuna', who alleged in an interview that LTTE had also given Mr. Solheim money.

In an "open letter" to the editor of the paper, Odd Naustdal, Acting Head of Information of the Norwegian government said as follows:

"Reference is made to the article in the 27 November edition of the Sri Lanka Daily News entitled 'Norway gave money to the LTTE: Karuna'. The article reproduces an alleged interview with Karuna conducted by the editor of the Daily News. The information on which the questions and answers in the interview are based unfortunately contains many incorrect and false claims about Norway and International Development Minister Erik Solheim. The Norwegian Ministry of Foreign Affairs would like to take this opportunity to dispel some of these misconceptions and lies.

First of all it is claimed that 'LTTE helped Mr Solheim to buy his house in Oslo'. This is a very serious allegation and the Norwegian Ministry of Foreign Affairs is surprised to see that a respected and responsible newspaper like the Daily News is spreading obvious lies about Mr Solheim.

It is also claimed in the article that Mr Solheim gave 16 million Norwegian kroner to Mr Balasingham. This has no basis in reality and is false information.

Further it is stated that 'Erik Solheim gifted a 6 ft TV screen to Prabhakaran to watch films'. The Ministry would again like underline that it is surprised to see that such blatant lies are being printed by the Daily News. Mr Solheim has certainly not bought a television for Mr Prabhakaran.

More false claims are put forward by the Daily News when it states that 'Solheim advised Prabhakaran on how to govern in the future'. This is an absurd allegation and has no basis in reality. It is unfortunate that the Daily News is printing obvious lies and illfounded allegations about Norway and Mr Solheim.

Other errors and misconceptions reproduced in the interview have been commented on previously. The Norwegian Ministry of Foreign Affairs will refrain from further comments on these now.

Norway remains committed to assisting the Government of Sri Lanka and the Liberation Tigers of Tamil Eelam (LTTE) as an impartial facilitator of the peace process for as long as the parties request our support."

EU urges Govt. to release Karuna's child recruits

Dec 2 - In a strongly worded statement on Friday (Dec 1), the European Union has called on the Government to take immediate steps to release all children held by the Karuna group. The EU has also urged the Government to immediately commence "credible investigations" into allegations that some elements of the armed forces were helping Karuna recruit children. The EU statement came as Sri Lanka narrowly avoiding another EU-sponsored resolution against her at the UN Human Rights Council this month.

The EU presidency decided to postpone that resolution till March next year, allowing the government time to fulfil its undertaking that it would investigate alleged human rights abuses.

The EU declaration presidency focused on the situation of children affected by the armed conflict in Sri Lanka. It urged the LTTE to immediately cease the "deplorable and inhumane practice of recruiting child soldiers, and release any children recruited in that manner without delay".

"The European Union is also deeply concerned that the Karuna group is also abducting children, that this is taking place in areas under the government's control, and reports that government security forces are involved.

"It urges the Government of Sri Lanka to take immediate steps to release all children being held by the Karuna group, and immediately commence credible investigations of the alleged involvements of certain elements of government security forces, and bring to justice those responsible for these crimes."

"The recruitment of children to hostilities has continued as have abductions of children from their families in order to recruit them, both of which are in violation of applicable international law."

The EU highlighted what it described was the "deteriorating human rights and humanitarian situation in Sri Lanka" and said it had left children in a growing insecure situation.

'Talking peace with Pirapa is a waste of time' - Karuna

Dec 4 - The leader of the Tamil Makkal Viduthalai Pulikal (TMVP) and former LTTE eastern commander, Karuna Amman says the Government must stop wasting time trying to talk peace with the LTTE and instead pursue a military solution. In an interview with a local paper, Amman said he knew the mindset of the LTTE leader Velupillai Prabhakaran all too well and achieving peace is not part of his final agenda.

"As a man who knows Prabhakaran really well and one who knows how he operates I can assure you no one could draw him to a political negotiated solution. That is because right now he is enjoying several luxuries in the Wanni jungles which he wouldn't want to give up plus there is also the threat from his many enemies if he comes out into the open to enter democracy. Right now it is unthinkable to get him to agree on a peaceful settlement. He has also made his intentions clear through his heroes' day speech and by carrying out a black Tiger attack on the defence secretary. The government and the international community must realise that the Tamil people in the north and east who are under Prabhakarn's grip must be set free and I believe this could be done only through a war," Amman told the Daily Mirror.

Amman, who operates a political and military wing organisation aimed at taming his former leader admits the Tamil people in LTTE controlled areas will be the victims of a war but notes that it will only be a "temporary consequence" they will have to face as opposed to a better future.

The man who has strong ambitions to enter active politics one day also sidelines Anton Balasingham as being the one Tiger committed to a negotiated solution and that his absence in future peace talks owing to poor health will be a severe setback.

"In fact after one of the Oslo talks when Norway announced we were ready to consider devolution and the agreement was signed by Balasingham and G. L. Peiris who headed the Government delegation at the time, Prabhakaran summoned us in Wanni and asked how the agreement was signed without his consent. Balasingham really believed the problem could be solved through negotiation but it was in vein because Prabhakaran had other ideas. Both of them had several arguments and Balasingham most often ended up cutting short his trips to the Wanni because of the arguments he had with Prabhakaran," Amman said.

Karuna Amman also alleges that former President Chandrika Kumaratunga turned down a request to provide security to his cadres at the time he split from the LTTE forcing him to carry arms for self defence but stressed he would lay down arms if security guarantees are given when he enters politics.

Amman is also of the view although India has a responsibility towards the Tamils of this country they cannot be expected to play a direct role because of how they were treated in the past and most importantly the killing of Rajiv Ghandhi which he claims was masterminded by Prabhakaran. *

'No other option but an independent state of Tamil Eelam'

- LTTE leader

The following is the full text of the official translation of the speech made by the leader of the LTTE, Mr. Velupillai Pirapaharan, on 27 November 2006:

"We are at a cross roads in our freedom struggle. Our journey has been long and arduous, and crowded with difficult phases. We are facing challenges and unexpected turns that no other freedom movement had to face. Unprecedented in history, we are dealing with war and peace talks at the same time.

Six years have passed since we dedicated ourselves to find a solution to the ethnic conflict through peace talks. In this long time span, has a solution been found to the burning Tamil national question? Was there any visible change in the mindset of the Sinhala leadership that continues to inflict unrelenting cruelty on the Tamil people? Were any of the justifiable requests of the Tamils been fulfilled? Were our people able to find relief from the daily harassment and misery at the hands of the occupying military? Were the daily basic problems of our people resolved? None of these has happened. Instead, death and destruction were heaped on the Tamils who hoped that they would receive justice.

While the countries that preached peace maintain silence without conscience, a great tragedy is unfolding in the Tamil homeland. The Sinhala government has imprisoned the Tamils in their own land after closing its main supply routes. Having removed their freedom by restricting their movement and constrained their lives, it is inflicting great suffering on them. It has split the Tamil homeland, set up military camps, bound it with barbed wire, and has converted it into a site of collective torture.

The Sinhala government has unleashed a two pronged war, military and economic, on our people. Our people are subjected to unprecedented assaults. Arrests, imprisonment, and torture, rape and sexual harassment, murders, disappearance, shelling, aerial bombing, and military offensives are continuing unchecked. At the same time our people are subjected to an inhuman economic embargo on essential items including food and medicine.

Even after the ceasefire, negotiations and the five years of patiently keeping peace, the dividends of peace have not reached our people. Instead our people are faced with unbearable burdens in their daily lives. Thousands of our people have been forced out of their homes and are languishing with disease and hunger in refugee camps. No one should expect that this Sinhala government which is denying food and medicine to our people

to the extent of starving them would show compassion and give them their political rights.

The monumental growth in knowledge and the resulting global outlook is taking humanity into a new era. Ideas, views and philosophies are changing in tandem with this growth in knowledge and this is resulting in changes in society. Yet, within the Sinhala nation, there is little change in its ideas and philosophies. The Sinhala nation is refusing to broaden its thinking and take a new approach. The Sinhala nation remains mislead by the mythical ideology of the Mahavamsa and remains trapped in the chauvinistic sentiments thus created. Unable to free itself from this mindset, it has adopted Sinhala Buddhist chauvinistic notions as its dominant national philosophy. This notion is spread in its schools, universities and even its media. The domination of this Sinhala Buddhist chauvinism is preventing its students, intellectuals, and writers from stepping out of and thinking free from its domination. This, unfortunately, is preventing the Sinhala nation from undertaking a genuine attempt at resolving the Tamil national question in a civilized manner.

Both our liberation movement and our people never preferred war to a peaceful resolution. We have always preferred a peaceful approach to win the political rights of our people. We have never hesitated to follow the peaceful path to win our political rights. That is why we have tried to hold peace talks beginning in Thimpu right through to Geneva on several occasions, at various times, and in many countries. The current peace efforts, with Norwegian facilitation and with the blessings of the international community, taking place in the capitals of various countries are unique.

This peace journey began on 31st October 2000, when the then Norwegian special envoy Eric Solheim visited Vanni and met us. This peace journey is taking place in a unique period, under unique historical conditions, in a unique format and on a unique path. It is moving on two fronts, peace talks, on one hand, and a war of occupation by the Sinhala government, on the other.

During the six years when we kept peace, we were sincere in our efforts. Indeed, we initiated the peace efforts. We created a strong foundation for peace efforts by unilaterally declaring a ceasefire. We refrained from putting conditions or time limits for peace talks. We did not undertake these efforts from a position of weakness. We had recaptured the Vanni mainland and the Iyakkachchi-Elephant Pass military complex. We had beaten back the 'Operation Fire' of the Sinhala military. We carried out great military feats in the history of our struggle. It was from this position of strength that we undertook this peace effort.

The situation was just the opposite in the south. The south had faced defeat after defeat and was losing its will to face war. Its military had lost its backbone. The economy was very shaky. It was only under such conditions that the Sinhala nation agreed for peace talks. In this five years since the peace efforts began, three governments have come to power, that of Wickremasinghe, Bandaranayake and Rajapakse. Each time the government changed, the dove of peace moved from one cage to another but it was never able to fly freely. Stabbed many times, the dove is now struggling for its life.

We held talks with the Wickremasinghe government for six months after signing the Cease Fire Agreement (CFA) with him. Like all previous Sinhala regimes, the Wickremasinghe regime dragged time without implementing the clauses in the CFA and the agreements reached at the talks. Its military failed to move out of people's homes, schools and hospitals and instead declared these vast areas of land as military security zones and permanently prevented the people from returning to their land. The sub-committee for De-escalation and Normalization became dysfunctional. The sub-committee created to solve immediate humanitarian needs of the people also become defunct due to planned sabotage by the government.

The Wickremasinghe government that refused to solve the humanitarian problems facing our people, secretly worked to marginalize our movement on the world stage. Even before setting up a working administrative structure in the Tamil homeland, it conducted donor conferences to obtain aid for the south. By failing to facilitate our participation in the donor conference held in Washington, it marginalized and humiliated our movement. As a result we were forced to stay away from the Tokyo conference. The Wickremasinghe regime did not stop with this. It plotted to trap our freedom movement in an 'international safety net' and destroy us.

When we put forward the proposal for an Interim Self Governing Authority (ISGA), startling changes occurred in the southern politics. The Kumaratunge government took over the reins of power. While refusing to hold talks on the basis of our proposal, her government, using the paramilitary phenomenon, intensified the shadow war against us. The paramilitary factor turned the Tamil homeland into a violent blood stained theatre. Intellectuals, political leaders, journalists, LTTE members, supporters and civilians were all murdered. We were forced to halt the political work, carried out according to the CFA clauses by our members in Sri Lankan military occupied areas of the Tamil homeland. As a result, our people were left alone in the cruel grip of the occupying military. Finally the Kumaratunge regime failed to implement even the Joint Mechanism (PTOMS) agreement signed by her regime for tsunami rehabilitation. The Supreme Court, unable to step outside the Sinhala chauvinistic notions, rejected this purely humanitarian focused agreement citing the unitary constitution.

It was at this time that the Sinhala nation elected Rajapakse as its new President. Like the Sinhala leaders of the past, he too is putting his hopes in a military solution. He rejected our final call in our last year's Heroes' Day statement, to find a resolution to the Tamil National question with urgency. Instead, he intensified the war, on the one hand, with the view to destroy our movement and, on the other hand, he is talking about finding a peaceful resolution. This dual war and peace approach is fundamentally flawed. It is not possible to find a resolution by marginalizing and destroying the freedom movement with which talks must be held to find the resolution. This is political absurdity on the part of the Sinhala leaders.

The Rajapakse regime hopes to decide the fate of the Tamil nation using its military power. It wants to occupy the Tamil land and then force an unacceptable solution on the Tamils. Due to this strategy of the Rajapakse regime, the CFA has become defunct. The Rajapakse regime, by openly advocating attacks on our positions, has effectively buried the CFA. The Rajapakse regime's attacks have expanded from land to sea and air. It has given a free hand to the paramilitary groups to kill at will. It has occupied Mavilaru and Sampur blatantly breaking the terms of the CFA. The Sinhala military misjudged our strategic withdrawal

from Mavilaru and Sampur. It used heavy firepower and launched large scale offensives to bring Tamil lands under its control. Tamil land was soaked in blood. It is at this time we decided to give a shock to the Sinhala regime. Our forces conducted a massive counter-offensive on the Sinhala forces that attempted to move from Kilali and Muhamalai. The military sustained heavy losses and was forced to abandon its offensive temporarily. This, however, did not persuade the Sinhala regime to give up its military plans. It continues on its military path.

The Rajapakse regime, while conducting genocide of the Tamils, is portraying our movement which is waging a struggle to save the Tamils from this genocide as a terrorist organization. It has launched a malicious propaganda campaign to defame our movement. Ignoring the unanimous opposition of our people and the objection of the Sri Lankan Monitoring Mission (SLMM), the European Union and Canada have yielded to diplomatic pressure from the Sri Lankan government and listed our movement as a terrorist organization. They isolated us as undesirables.

This hasty decision, arrived at without considering the prevailing context, has created serious repercussions. It has gravely disturbed the parity of status and balance of power we held with the Sinhala regime. It encouraged the hard line stance of the Sinhala regime. It weakened the SLMM and facilitated the war plans of the Sinhala regime. Some countries that proclaim to be helping the peace efforts, have not only failed to condemn the genocidal attacks on our people but are also giving military and financial aid to the Sinhala regime to support its war plans. These are external factors that are encouraging the Rajapakse regime to carry on with its brutal military offensives in the Tamil land with absolute impunity.

The Rajapakse regime is not giving due importance to the peace talks because it has confidence in its military approach. The two Geneva talks were unproductive because of its lack of interest in the peace front. At the first Geneva talks, we placed evidence of military-paramilitary cooperation in the form of documents, statistics and incident reports. Unable to reject the solid evidence, the Sri Lankan government agreed to implement the CFA clause by removing the paramilitary groups from the Tamil homeland. After this first Geneva talks, there was only one change. State and paramilitary terror in the Tamil homeland escalated.

The second Geneva talks were also a failure. At these talks, we gave priority to the humanitarian issues facing our people and requested that the A9 road be opened and the SLMM be given freedom to function. The Sri Lankan government, putting military advantage ahead of humanitarian concerns, rejected both requests.

The Sinhala government that failed to show mercy to the people affected by a natural disaster is never going to budge on a humanitarian crisis that it planned and created. How could the peace talks move forward when the peace delegation is made up of people who proclaim that they will wage war and hold peace talks at the same time? How can trust be built? How can peace be arrived at like this?

To improve his posturing as a peace dove, President Rajapakse staged a deceptive 'All Party Conference'. The Sinhala leaders have practiced this infamous political tradition of initiating commissions of inquiry, parliamentary select committees, all party conferences, or round tables to procrastinate whenever it is unable to face up to a situation and wants to drag time until attention is diverted. This is exactly what he is doing now. Rejecting our call to speedily find a resolution to the Tamil national question, he is hiding behind the All Party Conference. For the last ten months, the all party committee is looking for the Tamil question, like searching for a black cat in a dark room.

Once the All Party Conference lost its deceptive power, President Rajapakse has taken up his next card, the MoU between the two major parties. These two major parties that effectively have hegemonic control over the south are both essentially chauvinistic parties. Both these parties are born of Sinhala Buddhist chauvinism and compete with each other to carry out genocide of the Tamils. This MoU is a temporary opportunistic move by Rajapakse regime to avoid the multiple problems of international pressure to find a peaceful solution, the declining economic situation, and the opposition of his political partner, Janatha Vimukthi Perumuna (JVP). There is no sincere motive in this MoU agreement. These two parties will never put forward a just solution to the Tamil issue. Despite this, the Rajapakse regime continues to show interest in keeping the all party conference alive simply to deceive the world.

A long time has elapsed since we embarked on this journey for peace with Norway's facilitation. We have tried our best to take forward this peace effort. We have practiced patience. We gave innumerable opportunities for finding peaceful resolution. We postponed our plan to advance our freedom struggle twice to give even more chances to the peace efforts, once when the tsunami disaster struck and again when President Rajapakse was elected.

It is now crystal clear that the Sinhala leaders will never put forward a just resolution to the Tamil national question. Therefore, we are not prepared to place our trust in the impossible and walk along the same old futile path.

The uncompromising stance of Sinhala chauvinism has left us with no other option but an independent state for the people of Tamil Eelam. We therefore ask the international community and the countries of the world that respect justice to recognize our freedom struggle. At this historic time when the Tamils are recommencing their journey on the path of freedom, we seek the unwavering support and assistance of the world Tamil community. We express our gratitude to the Tamil Nadu people and leaders for voicing their support and ask them to continue their efforts to help us in our freedom struggle. We express our gratitude to the Tamil Diaspora, our displaced brethren living all around the world, for their contribution to our struggle and ask them to maintain their unwavering participation and support." *

Suicide attack: Defence Secy's narrow escape

Dec 3 - Sri Lanka's Defence Secretary, Gotabhaya Rajapakse, who also happens to be the younger brother President Mahinda Rajapakse, narrowly escaped unhurt when a suspected Tamil Tiger suicide bomber rammed an explosive laden vehicle into the convoy of vehicles in which he was travelling..

At least four persons including the suicide assassin were killed and fourteen injured seriously in the explosion. Two security personnel were killed and seven injured in the attack.A civilian was also killed. Among the injured seven are security personnel and five civilians. Some vehicles also were damaged as a result of both the explosion and defensive fire.

Among the injured was Sri Lankan Foreign Secretary HMGS Palihakkara. The much respected Palihakkara who is retiring from office this year was not in the motorcade of Rajapakse but travelling separately.

Charitha Ratwatte, the former Treasury Secretary and close confidante of opposition leader Ranil Wickremasinghe, was also among the injured. Ratwatte too was travelling separately. Both Palihakkara and Ratwatte sustained minor injuries only it is learnt.

The attack took place at about 10. 30 am on Friday December 1st in Kollupitiya along Dharmapala mawatte (Turret road) near the Greenpath Pithala junction. Gotabhaya was going from his heavily fortified residence to "Temple Trees" where his brother and President, Mahinda Rajapakse was staying. This apparently was Friday routine whenever the President was in Colombo.

The mode and manner of the attack pointed the finger at the Liberation Tigers of Tamil Eelam (LTTE).

The suicide killer drove an explosive laden three-wheeler into the middle of the convoy targetting Rajapakse's vehicle. Four identical bullet-proof vehicles with dark - tinted glasses were in the motorcade. Rajapakse was in the third vehicle.

Special commandoes on motor cycles providing security to the Defence Secretary saw the vehicle and tried to push it away when the explosion was triggered off.

Ajith Kumara, one of the commando's assigned to protect the Defence Secretary describing his near death experience said that they had noticed a red three wheeler following them for some time. "We blew our whistles at the three-wheeler and even pointed guns at him to scare him off but he kept coming closer and closer to the convoy. The driver appeared to be in a great hurry and just as we took aim to fire at the tyres of the three-wheeler, we got caught in the traffic and he got closer to us and detonated himself in the three-wheeler," Ajith said.

It is reported that the action of the security personnel helped minimise the impact on the Defence secretary's vehicle. Though it sustained damage Gotabhaya Rajapakse was unhurt except for slight grazing caused by glass splinters. He was later seen with a few drops of blood on his collar and sleeve.

With rumours spreading like wildfire that the Defence secretary was killed Gotabhaya rushed in another vehicle to meet elder brother Mahinda and set his mind at ease. A visibly emotional President hugged his brother closely and expressed relief.

Gothabhaya Rajapakse served for more than 20 years as an army officer. He was commanding officer of the first Gajaba regiment . He was also engaged in the defence of the Jaffna Fort in 1990 which was subsequently abandoned by the army .

Rajapakse retired as Lt. Col when his superior officer was Col. Sarath Fonseka, the present army commander. Gotabhaya won an American Lottery visa and migrated to the USA. He lived for more than ten years in the US and was among other things an IT director at a law school.

He returned to Sri Lanka during the Presidential election campaign to support his sibling. Thereafter he was appointed Defence Secretary and old army "buddy" Sarath Fonseka was made Army commander. Incumbent Army Chief Lt. Gen Shantha Kottegoda was eased out and sent to Brazil as Ambassador.

Fonseka and Rajapakse have been virtually devising and implementing defence and seurity policies. They are said to be adopting a hard. no nonsense policy against the Liberation Tigers of Tamil Eelam.

On August 14th another claymore mine attack was directed against outgoing Pakistani envoy about 150 yards away from where the attack on Gothabhaya occurred.

On June 16th Army chief of staff Gen. Parami Kulatunga was killed in a suicide bomber attack on the outskirts of Colombo.

On April 25th Army chief Sarath Fonseka was injured in a suicide operation within the Army headquarters premises.

The Police Criminal Investigations Department took into custody two men who owned the auto-rickshaw used in Friday's suicide bombing targeting Defence Secretary Gotabaya Rajapakse's heavily armed convoy. "We have tracked down the owner of the vehicle used in the bombing," a police official said. "Two are being questioned."

Forensic experts suggested the three-wheel rickshaw was fitted with eight to 10 kilograms of plastic explosives and packed with ball bearings which acted as pellets, he said.

Criminal Investigation Department detectives found that the suicide-bomber who was driving the explosive laden three-wheeler wore a hands free kit. It was connected to an expensive Motorola mobile phone. The phone was found intact at the scene of the incident. The attacker's body lay atop a Double Cab sans his head and one arm.

The badly injured suicide bomber's body was found on the back of a pickup truck caught up in the powerful blast on the high-security Dharmapala Mawatha road. The head was destroyed beyond recognition, police said.

Meanwhile the United States condemned the assassination bid and urged the LTTE to enter talks."The attack bears all the hallmarks of an operation by the LTTE," the US embassy in Colombo said in a statement."We once again call on the LTTE to renounce terrorism, to give up violence and to join in negotiating a peaceful solution to Sri Lanka's conflict," it added.

The SLMM said in a statement that it "is deeply concerned over the attack on defense secretary Gothabaya Rajapakse in the heart of Colombo, Friday." Refraining from directly blaming the LTTE for the attack, the statement

said that "the blast bares the hallmarks of methods used by the LTTE in the past." The SLMM also urged the government and the LTTE to respect the 2002 ceasefire agreement and to give up violence.

Royal Norwegian Embassy spokesman Erik Nurnberg said that Norway strongly denounced the attempt on the life of the Defence Secretary. "We condemn this attack in the strongest terms. Incidents like this have kept on happening. We want to make it clear that such attacks are not going to make it easier to find a solution to Sri Lanka's problem," he said.

The Presidential Secretariat said that the President "remains unshaken in his resolve to achieve peace in Sri Lanka and is undeterred in his efforts to combat all forms of terrorism and violence."

The Defense Secretary said after the attack that he will not "abandon the responsibility we have towards the country, in the face of such cowardly attacks by the LTTE." He also reaffirmed his commitment "to defeat all efforts of the LTTE to achieve its bloodthirsty aims by grossly misleading the international community." "I wish to emphasize that we should not deviate from the people's desire to bring about a permanent peace to the country because peace is the primary need of the nation," said Gotabhaya in a statement.

A statement issued on behalf of the government of Sri Lanka said, "The Government of Sri Lanka expresses grave concern and condemnation over the cowardly unsuccessful attempt on the life of Defence Secretary Gotabhaya Rajapaksa this morning in Colombo. Although the police investigations on the incident are yet to conclude, the modus operandi of the suicide bomb attack has the hallmark of the Liberation Tigers of Tamil Eelam (LTTE) which has a long history of suicide bomb attacks on civilian and military targets.

Two persons died and eight military personnel and 5 civilians were injured and the vehicle of the Defence Secretary was badly damaged.

The GOSL condemns this dastardly attack in no uncertain terms and wishes to emphasise that a democratically elected government would not succumb to such terror tactics unleashed by the LTTE. The GOSL is totally committed to peace. However, it would not shirk its responsibilities towards the people of Sri Lanka and would not hesitate to take appropriate action to safeguard the people and the sovereignty of the State.

The GOSL, while urging the LTTE to give up the path of terrorism and resume peace talks genuinely even at this late stage, seeks the cooperation of the international community to impress upon the LTTE the futility of terror tactics and the imperative need for resumption of peace talks to find a lasting political solution."

In the aftermath of the attack on the Defence Secretary, the government advised the Norwegian Special Peace Envoy, Mr Hanssen-Buer who was in Colombo against meeting the LTTE leadership as the government was engaged in reviewing its relationship with the LTTE. "I have told Norwegian ambassador, Hans Brattskar, and Hanssen-Bauer that all contacts with the LTTE are under review by the government, and the Cabinet will decide on these issues on Wednesday," said Palitha Kohona, chief of the Sri Lanka's Peace Secretariat. *

Sri Lankan peace process: An engineered wreck

Dr. Rajasingham Narendran

On 27 Nover, 2006, Vellupillai Prabaharan, Leader of the LTTE, in his customary annual speech said:

"It is now crystal clear that the Sinhala leaders will never put forward a just solution to the Tamil national question. Therefore, we are not prepared to place our trust in the impossible and walk along the same old futile path.

The uncompromising stance of Sinhala chauvinism has left us with no other option but an independent state for the people of Tamil Eelam. We therefore ask the international community and the countries of the world that respect justice to recognize our freedom struggle. At this historic time when the Tamils are recommencing their journey on the path of freedom, we seek the unwavering support and assistance of the world Tamil community. We express our gratitude to the Tamil Nadu people and leaders for voicing their support and ask them to continue their efforts to help us in our freedom struggle. We express our gratitude to the Tamil Diaspora, our displaced brethren living all around the world, for their contribution to our struggle and ask them to maintain their unwavering participation and support."

With these words Prabaharan has pronounced the Ceasefire agreement (CFA) of February'2002 dead and well buried, although it was known to be lingering near death for almost a year now. The charade that the CFA was being observed by both the GOSL and the LTTE over the past year has to end now, despite the signals to the contrary emanating from Kilinotchi subsequent to Prabaharan's annual speech. An independent Tamil Ealam has been categorically stated as the goal of the LTTE and the freedom struggle (euphemism for an open and violent civil war) has been pronounced to have recommenced. The focus on a negotiated settlement to the Sinhala –Tamil conflict in Sri Lanka, that commenced with the 2002 CFA, and has remained centre stage through the past four years, despite many a pressure, has definitively shifted now to war and a solution through violence. The shift towards these ends has not been dramatic, but gradually escalated, in a calibrated manner, to the present point since 2003, despite the efforts of many Sri Lankans and the international community to forestall this likelihood.

The reference to countries that respect justice in Prabaharan's speech is intriguing, in the context of the LTTE being proscribed as an organization in India, the U.S.A, most of Europe and Canada. I wonder which countries Prabaharan had in mind, when he made this reference. By referring to the people of Tamil Nadu and its leaders, Prabaharan has cunningly sought to prevent a more direct anti-LTTE role for India in Sri Lanka. The Tamil Nadu factor in his expectations will tie Indian hands and will also prevent Sri Lanka from seeking greater assistance from India. The Tamil Nadu bogey that finds uncritical acceptance among the Sinhala political class at times such as this has been very cleverly exploited by Prabhaharan in this instance. While the support of the Tamil Diaspora has been passionately sought, the support of the Tamils and Tamil-speaking Muslims living in the north and east of Sri Lanka for a renewed violent struggle has not been sought, although the struggle is to be recommenced in their name and suffering. Their support has been either taken for granted or has been considered irrelevant by the LTTE. The question then arises whether the LTTE has lost the support of the local population and has become increasingly dependent on the support of an aggrieved, vociferous and vengeful Diaspora.

The report titled, **'SRI LANKA: THE FAILURE OF THE PEACE PROCESS'** (Asia report # 124- 28th November 2006) of the **International Crisis Group** Working To Prevent Conflict Worldwide, should be compulsory reading for all those seeking an explanation and background to the current situation. However, this well researched report has failed to identify how the intent of the CFA and the expected outcome were sabotaged in a systematic and cynical manner by both the LTTE and GOSL, since its advent. Both parties to the CFA were not honest in their intentions and tried to use the CFA to pursue their individual long-term agenda. The CFA was the fig leave that unfortunately failed to hide what was behind it! The only achievement of the CFA has been that it has helped expose the hidden agenda of both the LTTE and the GOSL to the people of Sri Lanka and the world at large.

In a letter to a friend in October 2003, I had said, "Sri Lanka is currently enjoying a rather tenuous respite from twenty years of destruction, bloodshed, terror and insecurity. The peace we are currently enjoying in the Island is very deceptive and superficial at best. There are undercurrents of seismic proportions gathering strength and can erupt with a force never before experienced. If the current ceasefire is undermined or breaks down because of a failure to conclude a satisfactory power sharing agreement among the communities, what we would see is mayhem on an unprecedented scale". I had gone on to write, "The current peace process is fraught with many difficulties because of the long history of strife and distrust between the two major communities. Unless there is mutual trust built-up, very rapidly, an ultimate solution will be a pipe dream. The leadership in this country, whether Sinhalese or Tamil, should set an example to the population at large, by directing their every thought, word and action towards consolidating the peace. This should be their penance to absolve themselves of past sins. Irresponsible and inflammatory words and actions can at this stage ignite a conflagration that would irreversibly damage the peace process from which both communities are benefiting".

Most of our leaders, whether Sinhalese or Tamils have however done everything possible to sabotage the peace process and a positive outcome in the past four years and engaged in a deadly game of Russian roulette with the gun pointed of course, as usual, at the civilian population. They have nevertheless vociferously expressed their commitment to the peace process at regular intervals. This ploy is described in Tamil as, "Pillaiyayum Khilli, thottilaiyum artuvathu porla (Akin to pinching the infant while rocking the cradle)."

Why the CFA failed

The following salient sentences and paragraphs from the crisis group report are extensively quoted below, to objectively explain why the CFA failed to provide tangible solutions:

• "A major failing of the peace process was the inability of the government to begin to address some of the root causes of the conflict. This would have involved a broad range of measures, from language politics to reforming the security forces, that would have set the stage for a real deepening of the peace process as well as a reform of the Sri Lankan state that would have benefited all citizens."

• "Neither side wanted to rush into substantive political issues; the government did not want the talks to meet an early impasse; the LTTE wanted to use humanitarian aid and reconstruction to consolidate its political hold over the population and establish a nascent state structure."

• "The LTTE's end game seemed deceptively simple. Prabhkaran's rhetoric has always favoured what is termed "Tamil Eelam", which is broadly understood as a separate state in the north and east. In reality, LTTE aspirations were never so clear-cut. Tamil Eelam always had an aura of a rather mystical utopia rather than a defined end goal. There was no blueprint for it, only some hazy 1970s Marxism as the basis for its economy and the evidence of the structures developed in the LTTE's controlled areas, which suggested an extreme, if often inefficient, authoritarian state, which would retain power through repression rather than the ballot box."

• "The Oslo declaration seemed to be a breakthrough in LTTE thinking, with its talk of 'exploring federal solutions'. In reality, this was exaggerated by a media desperate to report some progress. LTTE thinking revolved around rather convoluted discussion about internal self-determination. This seemed to be an attempt to square an inconvenient circle, to develop a state without all attributes of statehood, perhaps an extreme form of confederation but one still far beyond what most Sinhalese politicians would conceive, and probably much more than most Tamils would settle for as well."

• "The LTTE was hampered in discussing final political solutions by two main factors. One was its intolerance of debate and discussion outside the parameters set by its leaders. The other was the difficulty of maintaining mass mobilization if the final goal of the war was something less than an independent Tamil state. It was hard enough to maintain high recruitment and fundraising during the peace process: if the final outcome was likely to be a fudged devolution, the movement would probably lose much of its legitimacy among Tamil hardliners. Few people are prepared to die for a moderate, federal solution."

• "If the LTTE was constrained in its ability to project forward to a possible final settlement that might be acceptable to the Sinhalese majority, the situation in the south, where debate was open and lively, was not much better. Although there were many statements of principles, and considerable discussion on the roadmap to peace, there was surprisingly little concrete discussion of what a final devolution package would look like in detail. Partly this was due to an understandable focus on the here and now, an attempt to address the realities of the peace process, rather than distinct goal. Partly it was a conscious decision by some that the process would be protracted, and a final settlement was too far away to discuss in detail. Finally, there was reluctance among politicians to be associated with any proposals that might subsequently prove to be political liabilities."

• "In neither the proposal for an interim administration by the government nor by the LTTE was there any obvious commitment to democratic elections or pluralism. The ISGA offered elections after five years under the auspices of an LTTE-controlled Election Commission, with international observers. Only the most optimistic would think that such elections would be democratic after five years of LTTE rule. The government proposal, focusing on purely administrative arrangements, had no democratic elements."

• "The problem for the government and the Norwegian facilitators was that the LTTE seemed unlikely to negotiate under any other conditions, and the war would continue. This was the presumption at least, and it was never tested by pushing the LTTE harder on the issues of human rights and pluralism."

• "This paradox continues to plague attempts to broker peace. There has been little sign that the LTTE began to transform itself during the earlier process, although the absence of fighting certainly began to undermine internal cohesiveness."

• "Unless the LTTE begins to address its democratic critics and show signs of internal transformation, any new peace process will be unable to achieve an acceptable outcome."

• "The renewed military campaign has shown little regard for civilian casualties. The LTTE deliberately tries to surround itself with civilians and uses large- scale civilian deaths among the Tamils in its propaganda, knowing that they feed outrage among its supporters and increase pressure on the government. The military has obliged with a series of blunders and deliberate attacks, which have resulted in the deaths of civilians."

• "The security forces have routinely ignored or covered up abuses. Inquiries into serious massacres and killings have produced no prosecutions. President Rajapakse's proposal for a new presidential commission to investigate abuses has been met with skepticism given this history."

• "Both sides are cynically exploiting the situation. The LTTE uses civilians as a fundamental part of its guerrilla strategy; the government seems to be using humanitarian aid to limit supplies to the LTTE and persuade people to move from LTTE positions."

• "In addition to the humanitarian imperatives for better treatment, a politico-military aspect of present policies is hindering progress towards a political settlement. Embittered civilians make poor partners for the government's attempt to win over the Tamil minority from the LTTE."

• "Until the government makes a meaningful devolution proposal, the LTTE can argue it is not committed to a political solution."

• "It was clear that a ceasefire agreement would include the two parties which controlled the means of violence; in the sense the bilateral approach was inevitable. As soon as talk of a political settlement began, however, all the excluded political actors began to make their presence felt and undermine progress on a political settlement. And as soon as a glimmer of a political settlement appeared, the problems of allowing any territory to be ruled by the LTTE- which showed no signs of embracing democratic values- became rapidly apparent."

• "At the same time, the shift after December 2005, the increasing influence of chauvinist and militarist elements on government policy and the appalling human rights abuses that have become apparent in 2006, severely undermined any trust in the state to protect minority rights. As usual it has been civilians- Tamil, Sinhalese and Muslims-caught between TTE oppression and security force brutality, who bear the brunt of the violence."

• "Many ideologues who came to power with President Rajapakse believe military power will fatally weaken the LTTE. The result has been a resumption of conflict and a disastrous year for Sri Lanka's long-suffering civilians."

• "But much of the responsibility for the failure of the process must also lie with the LTTE, which was seemingly incapable of compromising its goals and preferred renewed fighting to any negotiated solution. The hardliners are in the ascendancy on both sides."

Underlying duplicity

In a nut shell, though the CFA was signed and had the objective of seeking a negotiated settlement, with wide devolution of powers for the minorities within a united Sri Lanka, the LTTE was intent on using the loop holes in the CFA as an opportunity to advance its goal of an LTTE controlled Independent Tamil Ealam, and the Sri Lankan government on the other hand was intent on leading the LTTE into a peace trap to weaken its hold on the Tamil population, while not conceding anything substantial by way of devolution of powers. Both the GOSL led at that time by the UNP and the LTTE did not follow through with the timetables and goalposts set in the CFA and found excuses for their respective commissions and omissions. The Norwegians and the SLMM were unable or unwilling to expose these initial violations and this resulted in their eventual emasculation.

The GOSL and the LTTE avoided dealing with substantive issues centred on devolution of powers and the necessary constitutional arrangements. As has become a historical routine in all preceding peace efforts, the regularization of normal life was given priority over substantive issues by both sides. Whenever conditions suited either party, the 'Normal conditions' were quickly and deliberately disturbed to become once again 'Abnormal', paving the way for renewed violence. Both the GOSL and the LTTE were playing to weaken each other, in order to achieve their pre-set objectives, rather than to seek long lasting solutions to the problems of the minorities and the country at large. Both LTTE cadres and GOSL soldiers were quite aware that the ceasefire will not last long, even as far back as June'2002!

This underlying duplicity gradually eroded the peace process and has ultimately led to its total collapse. Once the peace process began to lose its vigour and unravel, vultures in the form of former President Kumaratunge and her SLFP, the JVP and the JHU began to zoom into feast on the carcass of a dying peace deal, further contributing to its ultimate collapse. The arrogance and lack of wisdom on the part of the LTTE, led to the Karuna split, permitting the militaristic approach of the GOSL to gain strength. The failures of the LTTE including its inability to accommodate contrary opinion, gave room for dissent to emerge in public and expose its weaknesses to the world at large. The attempts by the LTTE to suppress debate and dissent by murdering or mud slinging those who dare to take a different viewpoint, contributed in no small measure to diminishing its stature among the Tamils and the world. The moral high ground the Tamils had attained through years of struggle and suffering was considerably diminished by the actions of the LTTE during the ceasefire. The Sinhala people who are now ready to concede considerable devolution of powers to the minorities, have on account of the failures of the current ceasefire and those preceding it, are against handing over any devolved power to the LTTE. The LTTE and its supporters are on the other hand taking the stand that the powers of self-governance that the Tamils want, is not for the Sinhalese to give, but for the Tamils to take. Unfortunately, the civilians on both sides of the ethnic divide and the Muslims have to pay a very heavy price on account of the failure of the GOSL and the LTTE to find acceptable solutions, through a mutually accommodative process.

Seeking power

Power is sought by both the LTTE and the GOSL, to rule over the people, Tamils in the case of the LTTE and all Sri Lankans in the case of the GOSL. Unfortunately, the manner in which this power has been sought has remained quite primitive, considering that we are in the 21st century.

Alvin Tofler in his bestseller 'POWER SHIFT' states, "This is a book about power at the edge of the 21st century. It deals with violence, wealth and knowledge and the roles they play in our lives. It is about the new paths to power opened by a world in upheaval."

"Despite the bad odour that clings to the very notion of power because of the misuses to which it has been put, power itself is neither good or bad."

"Of the three root sources of social control, therefore, it is knowledge, the most versatile, that produces what Pentagon brass like to call ' biggest bang for the buck'. It can be used to punish, reward, persuade, and even transform. It can transform enemy into ally. Best of all, with the right knowledge one can circumvent nasty situations in the first place, so as to avoid wasting force or wealth altogether."

"Violence, which is chiefly used to punish, is the least versatile source of power. Wealth, which can be used to reward or punish, and which can be converted into many other resources, is a far more flexible tool of power. Knowledge, however, is the most versatile and basic, since it can help one avert challenges that might require the use of violence or wealth, and can often be used to persuade others to perform in desired ways out of perceived self-interest. Knowledge yields the highest quality of power."

"Equality of power is an improbable condition. Even if it is achieved, chance will immediately produce new inequalities. So will attempts to rectify old inequalities. Some degree of inequality is a function of change itself."

Three ways seeking power

Power can be sought through violence, wealth and knowledge. In the Tamil liberation struggle in Sri Lanka since the advent of the armed militancy, **violence** of different kinds and of different degrees of intensity has been brought to play. The violence has also been practised in novel ways in this struggle, setting benchmarks for the world to take note. The Sinhala polity that had initiated the use of violence as a political tool in Sri Lanka has also gladly obliged with both random and institutionalized violence, in a tit for tat cycle of ever escalating violence. Modulated violence or force is often used in stable societies through the police services and the system of justice to maintain law and order. Greater violence of a more regimented and disciplined kind is the foundation of the armed forces of any country. Such violence is regulated by rules of engagement and other international conventions. Violence is often a necessary evil that has to be kept under control and used rarely and sparingly. What differentiates state- controlled violence and the unbridled violence of unconventional fighting units, under normal cir-

cumstances, is the degree of restraint and control that is operative when violence is resorted to. Directionless, unbridled, random, sadistic and barbaric violence when resorted to by a state or a liberation movement becomes terror. Both the Sri Lankan armed forces and the LTTE can be accused of terror, while the LTTE has to bear the greater share of guilt on this score. The violence that followed in the wake of the Tamil militancy in Sri Lanka has rained misery beyond description on all the people in Sri Lanka, more so the Tamils. This violence has however resulted in the Tamil grievances being acknowledged by the world and the world's attention getting focused on Sri Lanka. This could be cited as the only gain of the Tamil militancy to date.

Power can be also exercised through **money or wealth**. The Tamil militancy represented by the LTTE, has once again been innovative to the extreme on this score. It has been able to mobilize resources of the monetary kind, through means both fair and foul, to not only finance its military operations, but also sustain a powerful propaganda network and buy influence. This power of money (wealth) has been used largely in support of the violence that remains its main tool. The financial resources of the Tamil Diaspora, international aid and the other sources of revenue harnessed by the LTTE could have been instead directed towards creating wealth in the north and east of Sri Lanka, while using the CFA to provide the required political space. This would have developed the north and east at a rapid pace and drastically improved the lives of the people. This wealth creating approach, under the watchful eyes of the international community, coupled with the threat of renewed violence if necessary held in reserve, would have provided the Tamils the power to demand their rights. Unfortunately the LTTE has opted not to follow this tract and was not amenable to even consider this possibility, for reasons yet unexplained. The GOSL, which has been able to mobilize resources to fight an ever-escalating war, has singularly failed to mobilize the resources to develop the country and enlarge the economic pie. The economic realities underlying the conflict in Sri Lanka has never been acknowledged by Sri Lankan governments and given the attention deserved.

The third source of power is **knowledge**. This would imply the use of brainpower. Alvin Tofler in 'Power shift' quotes Winston Churchill to the effect that, "Empires of the future are empires of the mind". While the LTTE has used knowledge of explosives, guerilla warfare, conventional warfare and weaponry, to enhance its capability to engage in violence; used knowledge of maritime, immigration, trade, financial and criminal laws governing several countries and the international system to garner funds to support its aims of a military nature; used brain power to pursue its often unstated objectives in a devious and calculating manner; it has miserably failed to use this brain power to resolve problems of the Tamils without subjecting them to unnecessary and unbearable trauma. The inability or refusal of the LTTE to pursue this option with greater vigour has resulted in the Tamil people being voluntarily offered as sacrificial goats, to often repeating cycles of violence. The failure to maximally harness the involvement of the international community in the peace process during the past four years towards seeking substantive solutions to the minority problems was historically a major mistake. The actions of the LTTE have also alienated the international community to a considerable extent and permitted the Sri Lankan government to gain considerable mileage. This is a major set back for the Tamil liberation struggle. The GOSL too has not been able to rise above primitive instincts and myth-based emotions, to work in an intelligent and rational manner towards long-term political solutions to a problem debilitating the nation and destroying its moral fibre.

Need for a rethink of strategy

Violence cannot continue to spearhead the Tamil struggle for political and economic liberation in Sri Lanka. The fact that the Tamil people resident in Sri Lanka, especially those living in the north and east, cannot be made to bear the brunt of a renewed war and the despair and destruction that follow in its wake, have to be recognized and factored into the plans of the LTTE. The on-going low intensity war is likely to explode into one of greater ferocity soon. The backbone of the Tamil community will be broken beyond recognition if this comes to pass. Whatever damages the LTTE may inflict on the rest of Sri Lanka in such a war; the Tamils will be affected to the greatest extent. The LTTE has to re-think its strategy and seek solutions that are feasible, practical and optimal. This is an urgent necessity. The LTTE should not sacrifice the helpless and forlorn Tamils and Tamil speaking Muslims yet living in the north and east of Sri Lanka at the alter of impractical and futile dreams. We have to pursue a more intelligent path harnessing our wealth creating potential and brain power to build on whatever little we have achieved through indiscriminate use of violence.

The Sri Lankan government and the Sinhala polity should reach a consensus on the extent of devolution they are prepared to offer the minorities. The emphasis should be on solving a long festering problem in an amicable, civilized and honest manner. This should be an urgent national priority. The military option should be exercised with caution, bearing in mind that the innocent civilians caught in the crossfire are Sri Lankans too. It behoves the Sinhala polity, historically the primary instigator and aggressor in this conflict, to devise a generous, wise and appropriate political formula to end this never-ending conflict. The excesses of the Tamil militancy and the LTTE cannot be made the excuse to delay proposing meaningful solutions.

The 2002 CFA should be a lesson to everyone as to how the hopes of a people can be dashed to pieces by machinations of their leaders. The involvement of the Norwegians and international community did not also make a difference in this instance, as our leaders were intent on sabotaging the peace process from day one. I am sure the Norwegians and the other members of the international community were shocked by the attitudes of the two parties to this conflict. Everyone had a good time during the initial honeymoon, but the marriage has ended in rancour, without bringing forth any offspring. I hope our leaders will at least now have the hindsight to start afresh from this abysmal low. The international community should engage in Sri Lanka with renewed vigour and make us do what we are unable to do on our own. We have to be dragged towards a solution by the international community armed with a sledgehammer.

[December 2, 2006]

Constitutional Reform: Ball in SLFP-UNP Court

D.B.S. Jeyaraj

Many people including this writer were in for a pleasant surprise last week!

The majority of the experts group appointed by President Mahinda Rajapakse submitted a thirty-seven page preliminary report to the All Party Representatives Conference (APRC) on Wednesday December 6th. Eleven of the seventeen expert panelists comprising six Sinhala, four Tamil and one Muslim had assented to the report with some expressing reservations on certain clauses.

The six experts who did not agree with the majority submitted three separate reports on the same day. Four persons together presented a minority report while two others submitted a dissenting report each. All six were from the majority community.

The expert panelists were scheduled to meet President Mahinda Rajapakse on Friday Dec 8th and discuss related developments. They had all presented their reports to the APRC chairman Prof. Tissa Vitharane on Wednesday and had outlined their respective proposals. The experts will meet APRC members early next month to discuss the various pros and cons of their proposals.

When the All party Representative Conference was convened and an expert panel appointed to "advise" the APRC on Constitutional Reform and Devolution many including this writer thought it was a time - buying exercise in futility. The pleasant surprise therefore was that the multi - ethnic majority of the experts panel had formulated a viable package within five months. For that matter even the others have completed their reports

It is indeed a pity that all seventeen experts could not agree on a common report. This however was to be expected because of the expert panel composition. People with extreme , partisan views were in the panel and one reason for this writer's pessimism was the feeling that they would never agree on anything or that in the event of agreement devolution proposals were likely to be severely diluted.

My skepticism has been partially proved right. There was no meeting of the minds in the expert panel. The reason for being pleasantly surprised is that the majority (almost two - thirds) have agreed on a common majority report. Added reasons for happiness is the fact that the "majority" is multi - ethnic. Furthermore the report itself recommends many positive suggestions that could greatly help resolve the Tamil National question if accepted and implemented.

With the Rajapakse regime waging "war" against the Liberation Tigers of Tamil Eelam (LTTE) in a big way the political environment of the Country began to sour. The Government of Sri Lanka (GOSL) was charged of "militarism" and that the political option was being ignored. There was considerable International pressure on Colombo to arrive at an acceptable political formula. It was also emphasised that a "Southern " or "Sinhala" or "Majoritarian" consensus on a political settlement was a pre - requisite for meaningful progress.

President Rajapakse convened an all party representatives conference (APRC) in early July this year. He also appointed a group of eminent persons as a "panel of experts" to advise the APRC on Devolution and Constitutional reform. The experts panel was required to analyse the situation in depth and formulate a preliminary report to be submitted to the APRC. The APRC was expected to discuss this report in detail and arrive at a final report. Mahinda Rajapakse has gone on record that he would abide by the APRC decision.

When the APRC was convened there were two glaring omissions. The chief opposition United National Party(UNP) did not participate. In the absence of the UNP a "Sinhala" consensus was impossible. Against the backdrop where inter - party rivalry between the UNP and Sri Lanka Freedom Party (SLFP) had drastically affected ethnic relations in the Country , the current absence of the UNP seemed to make the whole APRC an "optical" exercise. One reason for my own skepticism was this.

The other aspect was the absence of a credible Sri Lankan Tamil voice in the APRC. The APRC was restricted to political party's represented in Parliament. This ruled out messrs.

Anandasangaree(TULF),Siddharthan (PLOTE) and T. Sritharan (EPRLF - Nabha group).There was however the 22 MP's of the Tamil National Alliance. In a controversial move President Rajapakse did not "invite" the TNA for the APRC.

Apparently the President felt that the TNA being an avowed mouthpiece of the LTTE with no independent voice of its own would not be of any use. He also feared that the TNA presence could be a disruptive factor given the acrimony in Parliament between the party and other Sinhala nationalist MP's. Rajapakse felt that including the TNA in the APRC at this stage would only obstruct proceedings. He probably hoped to engage the TNA and possibly the LTTE at a later stage.

The exclusion of the TNA left the "half-democrat" Eelam Peoples Democratic Party (EPDP) as the only Sri Lankan Tamil political party in the APRC. The absence of a credible Sri Lankan Tamil presence in the APRC was another reason for my doubting the bona fides of the exercise. I was particularly sorry that the ability and experience of veteran Tamil leader Rajavarothayam Sambandan was not being utilised.

Let it be remembered that among all Sri Lankan parliamentarians the Trincomalee district MP is the only person who has participated in all previous peace talks. But then Rajapakse had a point in doubting whether the TNA would be given a free hand to contribute positively. Besides the LTTE too did not avail itself of this man for peace talks and chose to rely instead on expatriate sycophants.

In such a situation the onus was on the expert panel to progressively accommodate the Sri Lankan Tamil point of view in the proposed preliminary report. Given Rajapakse's stance on federalism the envisaged "solution" had to be maximum devolution within a unitary state. It was within these parameters that the expert panel began its deliberations. There were fits and starts initially.

The expert panel when first constituted had twelve members. Of these ten were from the majority community with one each from the Tamil and Muslim communities. There were some protests and the International Community (IC) also expressed dissatisfaction at this. So three more Tamil representatives were appointed. With further agitation by the hawks two more were added on later. Thus the expert panel had seventeen members. The ethnic breakdown was twelve Sinhala, Four Tamil and One Muslim.

The expert panel deliberations went on regularly. About seventy proposals

from the public were criticised in addition to individual contributions by the experts themselves. All decisions arrived at in the Govt-LTTE talks including the Oslo declaration of exploring a federal solution, the draft legislation of 2000, proposals arising out of various past attempts to resolve the problem like the Mangala Moonesinghe commission report etc were also analysed. Many Constitutions like that of India and other schemes of Devolution like that of Spain were also discussed in detail. The panel had a plethora of knowledge and expertise in these spheres.

India in particular evinced great interest in the workings of the expert panel. Indian Prime Minister Manmohan Singh had personally advised Mahinda on more than one occasion to evolve a Southern consensus and the contours of a political settlement before engaging the LTTE in direct talks.There were media reports that India provided a lot of documentation including the Sarkaria commission report on Centre - State relations.

The Indian Constitution provides diverse "models" to any one seeking inspiration. There is the non - contiguous territorial concept of Pondicherry union territory; there is sec 370 which gives special status to Kashmir; there is sec 356 which enables the central government to dissolve a state Government in extreme circumstances. Even as experts were engaged in Constitution making India maintained effective lines of communication and kept itself informed of progress.

The expert panel proceedings received a boost with two developments. Constitution making exercise received a boost when the UNP and SLFP signed a memorandum of understanding on resolving the ethnic problem. The UNP declined to enter into constructive dialogue until and unless a draft paper on proposed constitutional reform was made available to the APRC. This was to be the basis of UNP - SLFP discussions and eventual bi - partisan consensus. This made the work of the expert panel crucially important and urgent.

The sense of urgency was further accelerated by Indian pressure. New Delhi prevailed upon Colombo to make proceedings a time - bound exercise instead of letting it meander aimlessly. Ultimately President Rajapakse told Indian officials that the preliminary report would be ready by December 15th this year. This added greater impetus. The expert panel now began meeting almost daily and spending much energy and time because of an expedited deadline.

The cracks too began widening. There was naturally unanimity on issues such as unity, sovereignty, territorial integrity and limited devolution. The points of divergence were on the extent of devolution, unit of devolution, nature of the state, measures to alleviate minority fears and insecurity etc. Two broad schools of thought evolved within the expert panel. One was for greater inclusion of the minority community aspirations within a maximum devolution model of a united Lanka. The other school of thought was not prepared to go to such lengths.

The "majority" school of thought was multi - ethnic in composition while the others were essentially "Sinhala" but not necessarily Buddhist. At one stage the "majority" group had twelve members and the other group five members. But one each from both groups had "differences" and opted to strike out alone. Finally there were four different reports. Eleven members assented to the "majority" report. Four signed the "minority" report. The remaining two presented "dissenting"reports each.

The eleven who endorsed the majority report were RKW Goonesekara, Jayampathy Wickramaratne, Asoka Gunawardena, Rohan Perera, Therese Perera, Malkanthy Wickremasinghe, Faiz Mustapha, Nirmala Chandrahasan, K. Vigneswaran, Sivaji Felix and N. Selvakumaran. The four who endorsed the minority report were HL de Silva, Gomin Dayasiri. GH Peiris and Manohara De Silva. KHJ Wijayadasa and MDD Peiris submitted the respective dissenting reports.

The four reports were presented to the APRC chairman Prof. Tissa Vitharana on Wednesday. Three of the majority group were abroad; Shivaji Felix, Asoka Gunewardena and Jayampathy Wickramaratne had not affixed their signatures to the 37 page document but their consent as signatories had been duly obtained. Rajah Goonesekara presented the report on behalf of the group and addressed the APRC.

With H L de Silva also being out of the Country Gomin Dayasiri presented the minority report and addressed the conference. The dissenting reports were presented by KHJ Wijayadasa and Dharmasiri Peiris who addressed the APRC. Sadly there was no representative of the Sri Lankan Tamils at the APRC on the historic occasion. Former MP S. Thavarajah the EPDP nominee to the APRC was not present.

Members of the majority group too were not of a single, uniform opinion on all counts. Individual members had different perspectives on different issues. Yet they agreed to a common position on most matters. Where deemed necessary some have noted their reservations on particular issues. On the prickly issue of a North - Eastern unit four different options have been presented. An annexure outlining areas like official language implementation where immediate action is possible has also been added. Some matters like proposed powers to be devolved to centre and periphery have not been completely finalised and are open ended.

The eleven who endorsed the major-

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ity report are from diverse backgrounds. Senior lawyer RKW Goonesekara is a former Law faculty senior lecturer and ex - principal of Law College. Rajah Goonesekara is a well - known lawyer and regarded as a close adviser of Former President Chandrika Kumaratunga.

Jayampathy Wickremaratne is currently senior adviser to the Constitutional Affairs Ministry of DewGunasekera.Wickramaratne played an important role in evolving the draft legislation of 2000. Malkanthy Wickremasinghe is Secretary to the Constitutional Affairs Ministry. She is also the daughter of the Rajarata's KB Ratnayake who was fluent in all three languages and widely respected by Tamils.

Therese Perera is the Legal draftsman. She was the first woman to be appointed to that post. Her husband Rohan Perera is legal adviser to the Foreign Ministry. He is an internationally recognized legal expert and holds office in many prestigious bodies. Asoka Gunewardena is a former civil servant and currently Finance Commission Chairman.

Faiz Mustapha is an eminent lawyer. This former High Commissioner to Britain is acceptable to all Muslim political parties in Sri Lanka. Shivaji Felix another lawyer is I believe the son of former Income Tax Commissioner JA Felix. Shivaji has a Ph D and specialized in Federalism for his Doctorate.

Nirmala Chandrahasan is a lawyer and former acting dean of Colombo law faculty. She is the daughter of Former Federal Party stalwart Dr. EMV Naganathan and daughter-in-law of respected Tamil leader SJV Chelvanayagam. K. Vigneswaran is a former MP and Gen. Secy of the newly formed "Ahila Ilankai Thamilar Koottani" party. He was also the secretary of the North-Eastern Provincial Council when Annamalai Varatharajap Perumal was chief minister. N. Selvakumaran is a Colombo law faculty Professor.

The other six expert panel members who did not subscribe to the majority report are also people of great stature. HL de Silva is acknowledged as the most brilliant Constitutional lawyer in the Country. Gomin Dayasiri and Manohara de Silva are also reputed lawyers. GH Peiris is a scholarly professor of Geography. KHJ Wijayadasa is a retired administrator who was former President Ranasinghe Premadasa's secretary. GDD Peiris is a former Cabinet and Presidential Secretary. He is also chairman of the Bandaranaike Centre for International studies.

The inability of the Expert panel to finalise a single report evokes memories of the Commission on Devolution appointed by President JR Jayewardene in 1979. In that instance the majority of members in the Commission headed by Victor Tennekoon submitted one report while the Tamil United Liberation Front (TULF) nominee Dr. Neelan Tiruchelvam presented a dissenting report. When the District Development Council bill was presented in Parliament it was found that the greater part of the legislation was derived from Tiruchelvam's dissenting or minority report.

The visible divide in the expert panel also revives memories of the Supreme Court in examining the proposed 13th amendment legislation in 1987. Five Judges voted for and four against in a nine judge bench. All four who voted against were Sinhala while three of those who voted for were members of the Tamil, Muslim and Burgher communities. It was the praiseworthy stance of two Sinhala judges that saw the legislation being approved then.

Likewise the commendable and courageous position adopted by six members of the Sinhala community has enabled this "majority" report to emerge. If these eminent ladies and gentlemen had let their "ethnic loyalty" overrule their inherent sense of justice and feeling for what was good for the Country the results may have been very different. They deserve all the praise and gratitude from peace loving Sri Lankan people.

It is people like these who make the non- Sinhala communities hopeful about the future. They instil confidence particularly among Tamils that there is still a chance for a united, egalitarian and pluralistic Sri Lanka where all communities can live as equals in unity, amity and harmony. I personally salute these people as I know the pressures involved in going against the sentiments propagated by a vociferous section of one's own ethnicity.

Similarly those four Tamils who participated in the exercise knowing fully well the dangers involved also deserve praise. In a situation where the dominant entity among Tamils insists on a separate state and nothing else the action of these persons in helping evolve an alternative solution where Tamils could live as equals in a united Sri Lanka is truly courageous. The tragic past where people like Neelan Tiruchelvam and Kethesh Loganathan were killed for these very reasons . Already the pro - tiger media has begun questioning the credentials of these people. They not only deserve praise but may also require protection.

The majority report by itself cannot achieve anything unless the Political parties demonstrate political will. The APRC has representatives from the Sri Lanka Freedom Party , United National Party, Janatha Vimukthi Peramuna , Jathika Hela Urumaya , Sri Lanka Muslim Congress , National Unity Alliance, Ceylon Workers Congress , Mahajana Eksath Peramuna . Lanka Sama Samaja Party , Communist Party of Sri Lanka, All Ceylon Muslim League, Eelam Peoples Democratic Party. National Muslim Congress , Up Country People's Front and Western Peoples Front

Parties such as the JVP, MEP and JHU will protest strongly against meaningful attempts to devolve powers. Hardliners within the SLFP and UNP may also express opposition. With three reports being presented by Sinhala members of the expert panel the hawks have something to latch on to in opposing . President Rajapakse too is in a tricky situation.

The immediate response can only be that of treating all four reports on par. As time progresses the majority report on account of its form, content and the multi - ethnic majority endorsement will be elevated to a "Primus Inter Pares" situation. The final scheme of Constitutional reform has to be an amalgam of all four reports. It is imperative however that the essence of the final product should be based on the majority report. If on the other hand the final report is a diluted version then all will be lost. Sri Lanka will blast its own future.

Though the nominal responsibility of formulating a final version lies on the APRC the question of realpolitik decrees that what counts most is a bi - partisan consensus between the UNP and SLFP. This in turn depends on Mahinda Rajapakse and Ranil Wickremasinghe. If the two major parties unite in thought and action on this then a wider and meaningful consensus is ensured. The question of how the LTTE will react depends on what the final "Consensus" will be.

This in turn will be predicated on a bi-partisan UNP-SLFP consensus. The "majority" report has placed the onus on the Government and chief opposition. The Constitutional reform ball is firmly in the SLFP-UNP court. [12 Dec 2006]

APC Experts Panel Reports provoke controversy

The 'international community' and particularly India, have been pressuring the Government of Sri Lanka to come up with a package for a possible political solution to the island's long-running conflict. President Rajapakse was advised during his recent visit to New Delhi that he should seek to expedite the All Party Conference (APC) exercise without prolonging it. It appears that the pressure had worked and had been worthwhile.

On Saturday, 2 December, the All Party Representative Committee (APRC – a committee comprising representatives of all political parties participating in the APC) was presented with preliminary reports from the "Experts Panel" the President had appointed. That there was a divergence of opinion on the contents of the proposals for Constitutional Reform became quite evident by the reports presented.

However s substantial majority (11 out of 17) of Experts drawn from all the communities were agreed on a set of draft proposals. This majority group of Experts (known as Group A) comprised the following: R.K.W Gunesekera, Dr. Nirmala Chandrahasan, Dr. Shivaji Felix, Asoka Gunewardene, Faisz Mustapha PC, Dr. A. Rohan Perera PC, Therese R. Perera PC, N. Selvakkumaran, Dr. K. Vigneswaran, Dr. Jayampathy Wickramaratne PC and. M. S. Wickramasinghe.

Covering new ground

Many who have studied the draft reports find that the proposals submitted by Group A go far beyond what have been previously considered and provided for under the Indo-Sri Lanka Accord of July 1987 (which was later translated into legislation under the 13th Amendment to the Constitution), the Chandrika Bandaranaike proposals of 1995 and the proposals contained in the draft Constitution presented in Parliament in 2000 (known as the Neelan Tiruchelvam-G L Peries proposals). What the preliminary report of Group A does is the task of restructuring of the State by providing for a new constitutional architecture for the island.

Unlike the models adopted or considered previously, the recommendations of Group A include provisions for the sharing of power at the Centre together with the devolution of powers to the Provincial Governments, and for the substitution of the current unicameral legislature with a bicameral one under which the second chamber will provide space and opportunity for enhanced representation of minority communities and interest groups.

In its preamble headed "Understanding of the National Problem" the Group A report frankly admits: "The crisis in the Sri Lankan polity has arisen because, although the country is multi-ethnic and multi-religious, the numerically smaller ethnic groups have not had their due share of State power which in their opinion, would have facilitated greater integration," and "This has resulted in the minorities being sidelined and becoming alienated from the Sri Lankan State, as initial efforts to redeem this situation by a power sharing mechanism failed."

In the words of this Group, "The approach of this Group has been to evolve to the maximum extent possible, a form of genuine power-sharing between the different ethnic/religious communities, which is not predicated on any particular model, but which suits our own needs."

"This Group has thereby evolved an approach, which is double-pronged. i.e. Provincial institutions and local authorities will be set up as institutions of Government through which all communities can within the respective areas of authority, exercise power and develop their own areas. All communities will also share power at the Centre, thereby integrating them into the body politic and strengthening national integration."

Calling the State as "The Republic of Sri Lanka", deliberately avoiding the "use of distinctive expressions, such as. unitary, federal, union of regions/provinces among others", the Group recommends that the State shall be b described in the Constitution as "one, free, sovereign and independent State."

Recognizing "the multi-ethnic, multi-lingual, multi-religious and multi-cultural character of the Sri Lankan society" the Group A report recommends that the people of Sri Lanka shall be described in the Constitution as being composed of "the constituent peoples of Sri Lanka," and that "The right of every constituent people to develop its own language, to develop and promote its culture and to preserve its history and the right to its due share of State power including the right to due representation in institutions of government shall be recognized without in any way weakening the common Sri Lanakan identity."

The highlights of the recommendations of Group A include provisions for the following:

(a) Supremacy of the Constitution, Constitutional Court; (b) Safeguard Against Secession; (c) Power Sharing at the Centre; (d) A Second Chamber;(e) Power-sharing at Provincial level; (f) The unit of devolution; (g) Distribution of Powers – National and Provincial; (h) Distribution of subjects and functions; (i) Juidicary- National and Provincial; (j) Fiscal Devolution and Centre- Province Fiscal Relations; (k) Defense, National Security and Law and Order; (l)Autonomous Zonal Council and Indian Tamil Cultural Council; (m) Public Service – National and Provincial; (n) Individual and Group Rights; (o) Language; (p) Land; and (q) Resolution of Centre - Provincial and Inter - Provincial Issues.

Then there is the Annexure to the Group A report that seeks to address the present problems that are quite relevant and germane to the current crisis that afflicts the country which cover such areas as (a) Implementation of the Language Provisions that are already in place anchored in duly enacted constitutional and legal provisions; (b) Measures to be taken to address the security concerns so as to restore the confidence of all communities and the minorities in particular, in the Law and order situation in the country; (c) Relief and Rehabilitation giving priority to the re-settlement of IDPs who have suffered displacement due to war and ethnic violence. Their personal safely and security should be guaranteed and compensation paid for the dislocation caused; (d) Displacement of people from

the High Security Zones, particularly from the Valikamam area in the Jaffna peninsula and dealing with it as a humanitarian issue be subject to the overriding security and operational requirements.

The Minority Experts Group:

From the outset of the working of the Experts Panel, it became crystal clear that there was a group of persons (Group B) who would not countenance the thought that a solution to the ethnic crisis facing Sri Lanka ought to be approached on the basis of devolution of powers. In fact some of them were known to be in a state of denial in that they openly denied there was even an ethnic problem in Sri Lanka, and arguing in a simplistic way that the only problem that the country faced was a terrorist/separatist problem which had to be confronted militarily. These experts representing a minority in the Experts Panel literally broke away to produce their own dissenting report which was by and large constituted an adverse critique of the majority report. Group B comprised senior lawyers H.L. de Silva PC, Gomin Dayasiri and Manohara de Silva and Prof. G.H. Peiris. Asserting the general sentiment that Sri Lanka belonged to all the communities, and arguing for the need to create a Sri Lankan identity and for Provincial Councils based on grounds other than ethnicity, .Group B has criticised the proposals by Group A for setting the scene for creating "ethnic enclaves" in the country

The other two members of the Experts Panel, K.H.J. Wijayadasa, who was a Secretary to former Presdient Premadasa and M.D.D. Peiris, who was a Secretary to former Prime Minister Sirima Bandaranaike, also submitted their dissenting comments to the proposals by both Groups A and B.

The APRC, APC and the President now have before them the main and substantial report by the majority of the Experts Panel, Group A and the dissenting reports from Groups B and C. Whether the APC would reach a consensus on the majority Experts Panel's report, with or without amendments will depend on the attitude of the parties represented in it. The main opposition UNP led by Opposition Leader Ranil Wickremasinghe, having entered into a Memorandum of Understanding with the SLFP committing itself to support the Government in seeking solution to the ethnic conclict, will normally be expected to extend its support to the President and his Government.

So far neither the LTTE nor its proxy, the Tamil National Alliance has reacted to to the proposals of majority Group. However, the other non-LTTE Tamil parties like the TULF led by Ananda Sangaree, EPDP led by Douglas Devananda and PLOTE led by Dharmalingam Sithadrthan are likely to welcome and support the proposals contained in that report. How the Ceylon Workers Congress (CWC) led by Arumugam Thondaman or Upcountry Peoples United Front(UPUF) led by P Vhandra sekaran is yet to be known.

That the JVP and the JHU would oppose the proposals is predictable. The JVP in its party newspaper describing the Group a proposals said that they went far beyond what former President Kumaratunga had offered, and vowed to vigorously oppose it.

The Patriotic National Movement (PNM) composed of extremist Sinhal-Buddhist nationalist elements has already announced its decision to mount a campaign against the proposals.

Tough days are ahead for President Rajapakse confronting a military campaign by the LTTE in the Northeast and facing the prospect of a populist campaign by the JVP-JHU-PNM axis.

JVP withdraws from APRC

Dec 13 - The JVP said it was withdrawing from the All Party Representative Committee charging that the APRC was going off the track by taking into consideration what the party saw as 'undemocratic' recommendations. But for the mement the JVP has not withdrawn from the All Party Conference.

The JVP representative read out a statement at the APRC announcing it decision to withdraw from the committee on Monday (11), at the end of which Minister Vitarana and several other members urged the JVP to reconsider its decision.

Accusing the Experts Panel of going beyond its remit, JVP leader Somawansa Amarasinghe told journalists, "President Mahinda Rajapaksa appointed the APC expert's panel just to help with the APRC to define certain terms, elaborate and explain certain issues. They were not authorised to make recommendations for the resolution of the national question. Even the APRC is in the process of identifying the causes of the national problem."

"One group is trying to promote a new Constitution while another report submitted by K.H.J. Wijeyadasa says that the Panel had received more than 700 letters from the public giving their opinion on the national problem. But the panel had only taken into consideration the recommendations provided by the Berghof Foundation," he said claiming that the

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APRC had lost sight of its objectives. He also alleged that the Berghof Foundation was a pro-LTTE NGO based in Colombo.

"Our decision whether to withdraw from the APC as well will depend on how the government is going to respond to the APRC decision," Mr. Amarasinghe said.

"There are accepted democratic norms to follow when introducing a new Constitution. The government should not disregard the popular mandate by failing to seek public opinion. This report has violated all accepted democratic norms and has paid no attention to the peoples' mandate received by the President because people did not vote at the last Presidential Election for a united country as recommended by this report," he said.

He said although the party had reservations regarding some contents in the 1978 Constitution, it compromised and accepted democratic path. "We cannot simply protest saying that we do not agree with the report because that might leave room for the Chairman of the committee to close the issue saying we had objected. We withdrew from the APRC to make a greater impact and that does not mean we are not committed to finding a solution to the national crisis. We feel that taking part in the APRC alone is a crime against the public," he said.

JVP Parliamentary Group Leader Wimal Weerawansa said the government's remark that the report did not carry state stamp of approval was not acceptable. "The Constitutional Reforms Committee itself is full of NGO members. Four out of the 11 members who signed and issued this report are government representatives. They are still in the public service. If the government is of the opinion that this report does not reflect its stand, either these officials should withdraw their signatures or they should be subjected to a disciplinary inquiry for going against the State," he added.

All Party Representative Committee Chairman Tissa Vitarana called upon the JVP to reconsider its decision to withdraw from the APRC. The Minister expressed concern that division in the committee would add weight to the LTTE's argument that the Southern consensus was lacking in finalizing a solution to the ethnic conflict.

Asked whether the JVP move would affect the final outcome of the Representative Committee, the Minister however struck an optimistic note: "Even after the JVP backed out of the committee we still have 13 parties in it. Moreover the fact that the SLFP and the UNP are represented in the committee is enough to convince the LTTE that the majority is backing this final solution."

Controversy over leaked reports

The premature disclosure of the report by the Majority Group of the Experts Panel and its portrayal as the views of the Government have predictably raised a hue and cry from many quarters forcing the Government to make statement distancing itself from the contents of that report.

As chairman of the All-Party Representatives Committee (APRC), Minister Tissa Vitharana has said that the APRC would examine the proposals submitted by groups and individuals and prepare a common set of proposals after the next meeting of the APRC.

Minister Anura Priyadarshana Yapa, meanwhile, expressed concern and dissatisfaction over the attempts made by some to project the proposals submitted by a section of the experts panel as those of the government. He has regretted that the experts who had been expected to submit a common report had instead put out several reports. Minister Yapa reportedly said that it was unfortunate that these experts have failed to view this important national problem objectively eschewing their personal or political prejudices and preferences and reach a consensual conclusion to be presented to the APRC. These experts were expected to lift this issue from the quagmire of partisan politics and treat it dispassionately and magnanimously with due attention given to the parlous state of the country.

Even the President has been forced to step into the controversy. An angry President Mahinda Rajapaksa has accused the All Party Conference experts' panel of going beyond its authority and leaking its final reports to the media. The President said the experts' panel was responsible for leaking the contents of the different reports and thereby causing confusion and misinterpretation regarding Government policy.

Asked whether any of the four reports reflected the stand taken by the Government, President Rajapaksa said the four reports were alternatives and certainly not the policy of the Government. President Rajapaksa said he now expected the All Party Representative Committee to sort out the differences in the report and come up with an acceptable model or consensus. It can be said therefore that the Sri Lankan government has formally distanced itself from the report submitted by the Majority Group of experts. *

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Country heading deeper into polarisation and confrontation

Jehan Perera

The government's decision to re-impose the harsh provisions of the Prevention of Terrorism Act came after the abortive suicide attack on Defence Secretary Gotabhaya Rajapaksa. This decision is yet another instance of the weakening of the Ceasefire Agreement that specified a suspension on the implementation of the PTA. But in an apparently conciliatory gesture the government did not give into nationalist demands to re-impose the ban on the LTTE. President Mahinda Rajapaksa has described the government's policy as being one of keeping the doors wide open to talks with the LTTE while cracking down on its terrorism.

The Prevention of Terrorism Act was first introduced to the country in 1979 when the Tamil militancy was in its infancy. At that time it was described as being worse than the South African law on which it was modelled. The PTA enabled people to be arrested and incarcerated without trial for years, and with only minimal recourse to an independent judiciary. Although the impact of the PTA was also felt by the Sinhalese people during the period of the JVP insurrection in 1988-89, most Sinhalese were spared its abuses. But this has not been the case with the Tamil people.

Due to the much longer duration of the Tamil insurgency, a large proportion of Tamil people have been at the receiving end of the PTA, either directly or personally I know of those who have been victimised by this law. Therefore, it should come as no surprise that the reaction of Sinhalese and Tamil public opinion to the government's decision to re-impose the provisions of the PTA was significantly different. Most Sinhalese might see it as a necessary measure. The LTTE attack on the vulnerable Sinhalese population in Trincomalee in the east would add to this perception. But most Tamils would see it as being otherwise.

The day the PTA was re-imposed, I was in Batticaloa to attend the 25th anniversary celebration of the Eastern University. As part of its programme of activities the university organised an international conference on the theme of Reviewing the Past and Preparing for the Future. This was a brave effort of the intelligentsia of the east to regain a semblance of normalcy in their war-shattered lives. For three days the academics of the east could engage in intellectual discourse with their peers from the south of the country and from the international community. It was with particular warmth that they welcomed their peace loving Sinhalese counterparts who stood with them for a negotiated and just political settlement to the ethnic conflict.

Improved situation

According to the people I spoke to, the ground situation in Batticaloa town and its environs had improved significantly from what existed at the beginning of the year.

When the year commenced Batticaloa was contested by three armed forces, those of the government, the LTTE and the breakaway Karuna group. In their struggle for supremacy no holds were barred, and no group was totally in control, and so many people were terrorised, abducted or killed. Due to the multiplicity of actors there was no certainty as to who was killing whom. A similar situation may be seen to exist in Jaffna and Trincomalee at the present time.

However, at the present time it is evident that the government has prevailed in most parts of Batticaloa. The town and its environs appear to be solidly under government control, and the killings that took place in the earlier part of the year have more or less ceased. While Vakarai, in the Batticaloa district is being fought over by the government and LTTE, the town of Batticaloa looks secure and stable, with people walking about even late at night. It seems that it is only when the LTTE is active that the Karuna group is permitted autonomy, whereas when the LTTE is excluded, the Karuna group is kept on a tight leash.

The re-imposition of the PTA would put another tool into the hands of the government to restrict the ability of the LTTE to penetrate the defences of the state. Any democratically elected government has the right to protect itself from terrorist attack. However, past experience also reveals that the existence of the PTA was not sufficient to prevent the LTTE from launching successful strikes, be they assassinations of leading members of the government or the destruction of strategic installations. Further, the re-imposition of the PTA can lead to human rights abuses that distance the Tamil people from the government and stand in the way of the resumption of the peace process.

Although the PTA is targeted against those who seek to use violence to achieve their ends, on too many occasions those who have been held under its provisions have been innocent Tamil people. Indeed this pernicious practice has taken place even under the less rigorous Emergency Regulations that continued to prevail under the terms of the Ceasefire Agreement. Members of the government-appointed Human Rights Advisory Committee have privately reported that nearly all those detained at police stations under the Emergency Regulations are Tamils against whom there has been no concrete evidence.

Unless the government takes exemplary action against those who abuse the draconian provisions of the PTA, the situation is only likely to get worse in the future. Innocent and law abiding Tamil citizens, who wish for nothing more than to live a life that is free of harassment and fear may find themselves victimised merely because they are Tamils. Many Sinhalese householders have had the experience of the security forces coming to their homes in the middle of the night, and threatening to take away any Tamils living with them, simply because they are Tamils and not for any other reason. This ugly practice is a recipe for fostering and reproducing the ethnic conflict.

People's cry

A further problem with the PTA is that it is a violation of the Ceasefire Agreement. Neither the government nor the LTTE have been prepared to formally withdraw from the Ceasefire Agreement. Instead they have been conducting their affairs as if the Ceasefire Agreement does not exist. But this agreement was the central pillar of the peace process. It is diffi-

cult if not impossible to think of a peace process in which there is fighting, killing, abductions, child recruitments and bombardments going on at the same time. Instead of seeking to revive the Ceasefire Agreement as a first step in reviving the peace process, the government's decisions to re-impose the PTA is a further regression in the direction of undermining the prospects for peace.

Accordingly, the signs at present are in the direction of a continued resort to military strategies and to confrontation, rather than to an opening of new pathways to a negotiated peace settlement. Although the government has refrained from imposing a ban on the LTTE, there is little prospect for constructive engagement between the two sides. On the contrary, the publicity being given in the state media to the politically orchestrated demands for the banning of the LTTE and withdrawal from the Ceasefire Agreement, may be indications of what is to come. In these circumstances what can be expected is a further aggravation of the conflict dynamics between the government and LTTE.

What is particularly tragic about the current situation is that none of the people I spoke to in Batticaloa wanted the conflict to continue. I saw them waiting eagerly for a new life to dawn, in which they could make use of the opportunities that the growing prosperity in the rest of the country, and fraternal contacts with the rest of the country could bring to them. Instead of which, these peace loving people have to fearfully look to a future of more fighting and cruel laws such as the PTA that will kill, torture and detain them for the foreseeable future to come.

The unarticulated cry from the people of Batticaloa was akin to: "Do not wage war on our behalf." Especially after the break up of the LTTE in the east, and the emergence of the Karuna group, the fighting in the east has become fratricidal, with easterner killing easterner, and the people's one aspiration is that the fighting should stop. The Sinhalese people of Seruwila in the eastern district of Trincomalee, who are fleeing the area in their thousands, due to fear of LTTE attack, would concur. But it is these peace loving people who will soon pay the greatest price if the present dynamic of conflict escalation is not reversed by bold political decision making from both the leaderships of the government and LTTE.
[12 Dec 2006]

New laws heralding a new anti-terror regime

Strange as it may seem for a man, who in his earlier incarnation prided himself as a defender of human rights, he certainly took a leaf from US President Bush's book when President Mahinda Rajapakse, addressing the nation on the day the new Emergency Regulations were announced, declared, 'either you are with the terrorists or with the common man who is opposed to the terrorists'. "Nobody can represent both these sides at any one time."

In what can be described as heralding a new anti-terror regime in Sri Lanka, the Government decided to introduce tougher Emergency Regulation and invoke the provisions of the Prevention of Terrorism Act following the attempted assassination of Defence Secretary, Gothabaya Rajapakse on 1 December.

Though the new Regulations are aimed at what the Government describes as the threat from the "terrorist activities" of the LTTE, they are generally applicable to all those who are suspected or alleged to be involved in such activities or activities that have a bearing on national security.

Many civil and human rights groups are seriously concerned about the increase in the powers of the police and security forces and prospect of the erosion of the normal guarantees that are provided in law in regard to arrest and detention under the new regulations.

For the first time, terrorism has been defined in Sri Lanka law and the Government was seeking to ensure that these new regulations conformed to UN standards on combating terrorism and protecting national sovereignty. It would seem that most of the provisions of the PTA have been incorporated as Emergency Regulations promulgated under the Public Security Ordinance thereby avoiding the need to invoke the provisions of the PTA in breach of the Ceasefire Agreement.

The new Prevention and Prohibition of Terrorism and Specified Terrorist Activities Regulations, gazetted on December 6, promulgated under the Public Security Ordinance are premised on the assertion that the territorial integrity and sovereignty of Sri Lanka continue to be threatened and endangered by acts of terrorism "perpetrated by certain persons and organizations, particularly with the intent of seceding from the Republic and establishing a separate sovereign State in certain parts of the territory" of Sri Lanka. The preamble to the Regulations noted that persons and organizations involved in terrorist acts may "establish a separate State" and "unilaterally declare" their purported independence from Sri Lanka.

No ban LTTE:

The new toughened "national security" regime did not provide for the proscription of the LTTE though it was a subject to which the Government gave considerable thought and decided against it despite a sustained campaign by the JVP and the JHU to ban the LTTE. A ban on the LTTE would have meant an abrupt end to the Ceasefire Agreement to which the Government and the LTTE subscribe in spite of the gross violations of it both sides.

President Chandrika Kumaratunga under the Public Security Ordinance of No. 1191/12 Extraordinary Gazette notifications banned the LTTE in the aftermath of the attack on the Dhalada Maligawa Buddhist temple in Kandy and the ban remained in force till September 4, 2002 when the then Government under Ranil Wickrememsinghe revoked lifted the ban to facilitate the peace talks between the UNF government and the LTTE.

Many believed that the decision to re-invoke the provisions of the Prevention of Terrorism Act (PTA) which remained dormant since February 2002 would have constituted a clear violation of the CFA. Clause 2.12 of the CFA states: "The Parties agree that search operations and arrests under the Prevention of Terrorism Act shall not take place. Arrests shall be conducted under due process of law in accordance with the Criminal Procedure Code."

However, the Government's de-

fence spokesman Keheliya Rambukwella later explained that the powers of search and arrest under the PTA, on which there was a moratorium under the Ceasefire Agreement would remain. But, such powers and arrest by the Security Forces and the Police have now been brought under the new Emergency Regulations. Therefore, it is contended that it would not be necessary to invoke the provisions of the PTA for the purpose. Old laws in the guise of new Regulations, one might say.

The Government sought to justify its action on the basis that it was the LTTE leader in his annual speech on 27 November who set the scene for the new tough Emergency Regulations when he declared that the LTTE was left "with no other option but an independent state for the people of Tamil Eelam" which was quickly followed three days later by the assassination attempt on the country's Defence Secretary.

The Regulations in the preamble referred that that persons and organizations involved in terrorist acts may "unilaterally declare" a separate State, but there was not even an iota of indication in the LTTE leader's speech that the Tigers were contemplating such a move. On the contrary the LTTE leadership has been careful not even to threaten making such a declaration though some their more enthusiastic supporters in Tamil expatriate circles have been monotonously articulating that idea.

The LTTE leadership cannot be unaware of the self evident danger inherent in such a unilateral move in the absence of the recognition and support from any other country. Any move in that direction would provide the justification to the SL government to direct all the civilians to evacuate from all LTTE-held areas, impose a land and sea blockade, and launch an all out war, probably with the endorsement of the international community taking account of the fact that there is no country in the world that has not pledged its commitment to maintaining the island's unity and territorial integrity.

Keeping with UN obligations

The new Emergency Regulations (No. 7 of 2006) have been promulgated by President Mahinda Rajapaksa under the Public Security Ordinance and the prevailing state of Emergency, a Government statement said.

This decision was taken following a review of the current security situation, the threat of secession and progress of the peace process by the Cabinet of Ministers at the Cabinet, the statement added.

The new regulations prohibit any person, group of persons or organisation from engaging in terrorism, any specified terrorist activity, or any activity in furtherance of any act of terrorism or specified terrorist activity, the statement added.

These regulations give effect to obligations cast on Sri Lanka by international Conventions and other legally binding international legal instruments relating to the prevention and suppression of terrorism, including the UN Security Council Resolution making it obligatory to take meaningful measures to prevent and suppress terrorism.

They prohibit the wearing, display, hoisting, or possessing of any uniform, dress, symbol, emblem relating to terrorism or terrorist activities; the summoning, convening, conduct or participation in a meeting relating to terrorism and terrorist activities; harbouring, concealing or assisting a member or cadre of an organisation engaged in terrorism, or terrorist activities; or participating in any activity even relating to terrorism or terrorism related activities.

The prohibitions under the new regulations also extend to any transaction including contributions, providing, donating, selling, buying, hiring, leasing, receiving, making available, funding, distributing or lending materially or otherwise to any person, group, associate or cadre engaged in terrorism or any terrorism related activities.

The new measures provide for transactions approved under the regulations that are for the purpose facilitating the development of a peaceful political solution, termination of terrorism or specified terrorist activity, maintenance of supplies and services essential to the life of the community or for any other lawful purpose by any Sri Lankan, international Governmental or Non-Governmental Organisation, done in good faith and with the written permission of the Competent Authority appointed for the purpose.

The prohibitions under these regulations also extended to the providing of any information detrimental of prejudicial to national security to any person or group of persons engaged in or known to be engaged in terrorism or terrorism related activities.

The implementation of these regulations will come under a Competent Authority appointed by the President. There is provision in the regulations for any person aggrieved by a decision of the Competent Authority to appeal against such decision to a special tribunal appointed for the purpose.

Contravention of these regulations carries penalties imposed by a High Court, varying from imprisonment from 10 to 20 years and of five to 10 years, depending on the nature of the offence.

Those responsible for causing offences under these regulations, other than individuals and groups of individuals, include corporate bodies, partnerships, and unincorporated bodies. With regard to corporate bodies and partnerships, every director or partner and principal executive officer of such organisation; and every officer of an unincorporated body will be held directly responsible for offences under these regulations.

The new regulations introduced by the government to tackle terrorism are a clear departure from the Prevention of Terrorism Act (PTA), Solicitor General C. R. de Silva told a group of foreign diplomats based in Sri Lanka.

The Solicitor General was associated with President Mahinda Rajapaksa, Foreign Minister Mangala Samaraweera, Minister Douglas Devananda and other government officials at Temple Trees during a briefing on the new regulations with foreign envoys.

According to the Solicitor General, these Emergency Regulations are intended to prevent all acts of terrorism and are consistent with Sri Lanka's international legal obligations under the Conventions to which Sri Lanka is a party, and with the United Nations Security Council Resolution, which calls for the adoption of meaningful measures to prevent and suppress terrorism. These Regulations include a detailed definition of terrorism for the first time in Government Regulations enacted in Sri Lanka.

Objections and concerns

The Centre for Policy Alternatives has expressed ita concern with respect to both the process by which the Emergency (Prevention of Terrorism and

Specified Terrorist Activities) Regulations of December 2006 were introduced and with respect to their substance. It also calls for the revision of the Regulations to make them compatible with international human rights norms.

CPA believes that a proper response to the introduction of these new regulations cannot be made in isolation from the current political and context. As such the CPA calls upon the government and all political parties represented in Parliament to revise the amendments to make them compatible with international human rights norms and the Rule of Law.

CPA's key concerns, in brief are: (a) The wide overbroad language of several of the regulations, which could curtail legitimate democratic activity, dissent and the autonomy of civil society groups; (b) The sweeping discretionary power of the Competent Authority over the activities. inter alia of civil society organizations including those committed to human rights. national reconciliation and also over the media; (c) The composition and legal standing of the Appeals Tribunal, which is a blatant violation of the principle of separation of powers and is unconstitutional to the proposed regulations in the discharge of its duties.

The Centre for Policy Alternatives is also opposed to any moves to reactivate parts of the Prevention of Terrorism Act which were suspended under the terms of the Cessation of Hostilities Agreement between the Government of Sri Lanka and the LTTE in February 2002.

The Free Media Movement (FMM) warned in a statement the new Regulations may result in censorship, the violation of human rights, restrict the space and ability of civil society to engage in conflict transformation and the further erosion of media freedom.

The FMM acknowledged that prevention of terrorism is a legitimate aim of any democratic government, and legally defining terrorism and specified terrorist activities attracting a penal sanction in principle is justified and necessary. However, FMM expressed concern that the new Regulations, which are in addition to those already in operation, attempt to define terrorism in broad terms and in their enactment, potentially post a serious threat to democratic governance and fundamental rights. It noted that some of the provisions are couched in very wide language allowing for the "possible criminalisation of a range of democratically legitimate activities including the role of the media and civil society."

Army Majors trapped in the web of 'treason'

Dec 5 – On the same day as the country was reeling in panic following the suicide bomb attack on the Defence Secretary in the capital, a high ranking army officer and six others including army deserters were produced before a Colombo court on alleged charges of selling vital information to the LTTE in return for millions of rupees.

Colombo Chief Magistrate Kusala Sarojini Weerawardena ordered the continued detention of the suspects for two months and directed that they be produced in court on 1 January, 2007.

The army officer, holding the rank of Major in the Sri Lanka Army, and the other suspects reportedly with LTTE links had allegedly been in possession of money and property worth nearly seventy million rupees. Allegedly the suspects had also carried out several robberies and abductions in return for ransom from wealthy persons. The suspect Major had procured a lorry and a bus. Police have seized the lorry and are on the lookout for the bus. The account of the Major in a Colombo bank has now been frozen. At the time this was done, a balance of over four million rupees had remained in his account.

Inquiries had revealed that the suspect had been also involved in a major case of abduction.

The Directorate of Military Intelligence (DMI) launched a major investigation after it obtained evidence that the LTTE had inside information from Army Headquarters to target the Army Commander Fonseka while on his way for lunch on 25 April 2006.

The revelation that the LTTE had infiltrated security forces using the tool of bribery shocked Government circles as inquiries revealed the extent of the LTTE's infiltration and the Major's complicity in the assassinations. Tuan Nizam Mutalif, of the Director of Military Intelligence (DMI), was shot dead while on his way to the Kotelawala Defence Academy. Deputy Chief of Staff Kulatunga was killed on 16 June 2006 by an LTTE suicide cadre on his way to Army Headquarters from his residence at Pannipitiya.

The suspect Army Major, who had previously served in Vavuniya had been kept under surveillance following a tip off that he had developed clandestine connections with the LTTE. This surveillance continued after he was transferred to the Overall Operations Command, in Colombo (OOC). The officer had confessed to receiving large amounts of money from the LTTE.

The suspect Major who had been in custody over alleged LTTE links, had been questioned for having facilitated the suicide attack on Army Chief Lt. Gen. Sarath Fonseka in April this year. Although the officer denied any direct role in the April attack, he is believed to have acknowledged that his LTTE handlers sought information about Fonseka's movements. Officials said he had told investigators that LTTE operatives had claimed they had other officers on their payroll.

They also allege that the suspect had confessed to collaborating in two high profile attacks in Colombo this year. The information he had sold the LTTE included details of the movements of the Army's Deputy Chief of Staff Maj-Gen. Parami Kulatunga, who was killed by a Tiger suicide bomber in June this year. He received some two million rupees for providing detailed information on the movements of former Deputy Chief of Staff of the Army, Maj. General Parami Kulatunga. The suspect Major lived in the same residential complex where the late Maj. Gen. Kulatunga lived at Kendalanda near the Army cantonment in Panagoda. He videoed all movements of the former number three in the Army, his security convoy and made the footage available to the LTTE. That helped them plan the attack. On the fateful day when he became a victim to a deadly suicide bomb explosion, it is this suspect Major who had allegedly reported on his movements.

He is also alleged to have helped the LTTE to target and kill Major Tuan Mutalif, the head of Military Intelligence. The suspect Major has now reportedly

confessed that he received some Rs 800,000 for providing information on Lt. Col. Tuan Nizam Muthaliff. Until recently, detectives of the Criminal Investigation Department (CID) were puzzled over how Lt. Col. Muthaliff's assailants knew his movements on the day he was shot dead, May 31 2005. This is because he lived deep inside a housing complex at Narahenpita allotted to Army officers. Hence, it was not possible for anyone to have watched his house to learn he was leaving without any escorts.

As the suspect Major was attached to the OCC as a Staff Officer, he was privy to all military operations and other security measures in the greater Colombo area. He had allegedly tipped off the LTTE on search operations in different areas including the City and provided details on other security preparations. It has now come to light that the Major had provided details including regular movements of two high ranking Army officers, one now holding a key position in Colombo.

The Major has confessed that the LTTE sought his help to obtain more intelligence and information on Douglas Devananda, leader of the Eelam People's Democratic Party (EPDP) and V. Anandasangaree, the former Tamil United Liberation Front (TULF) parliamentarian, both of whom are bitter critics of the LTTE. This is particularly in respect of their movements and the areas they regularly frequented so assassination plots against them could be planned. He has disclosed that he was regularly reporting to LTTE's Trincomalee district intelligence leader whose nom de guerre is Niroshan.

The suspect Major is believed to have co-operated with the enemy for financial gain. An investigator said that the suspect admitted that he had been a traitor. Following information elicited from the suspect, several other persons were been taken into custody and questioned

The Directorate of Military Intelligence arrested the suspect and after conducting preliminary inquiries handed him over to Terrorist Investigations Department (TID).

Inquiries had revealed that the suspect received large sums of money for passing information to the LTTE. It is claimed that the officer's wife had not been aware of her husband's activities.

It is reported that the Major's LTTE handler had been apprehended. The LTTE cadre substantiated the Major's account of deception, treachery and treason. He had received large sums of money over a period of time. He had lived a life of luxury. The sources said that the suspect had been a frequent visitor to posh Colombo casinos where good food and expensive women were a way of life. The suspect had also forced a person allegedly involved in foreign exchange transactions to pay him almost Rs 40 million.

In the meantime it has been reported that a distraught school teacher committed suicide after he learnt that his brother, the suspect Army Major, had loaned him Rs 500,000 reportedly obtained from the LTTE for selling information to the enemy. D.M. Dharmatillake (45), a retired teacher had visited his brother who was being detained at the CID headquarters which also houses the Terrorism Investigation Division (TID). There, he learned that the loan he got to buy a vehicle was money that his brother is suspected to have received from the LTTE. Mr. Dharmatillake took his family to a hotel in Piliyandala for an overnight stay. The next day, he had hired a boat on the pretext that he was taking the family on a boat-ride on the Bolgoda Lake, but had jumped into the murky water and drowned.

It has also been revealed that another Major in the Army, also found helping the LTTE with intelligence and information, has been in custody for four months and is now being tried for treason by a five member Court Martial and the hearings against has already commenced. This Major was arrested for allegedly receiving money from the LTTE to help them.

Focus On Rights

UN Advisor Allan Rock on Children in Armed Conflict

Dec. 3 - Following are excerpts from the report by Ambassador Allan Rock, who visited Sri Lanka recently as a special envoy of the UN under secretary general for children and armed conflicts on a fact-finding mission on child recruitment.

* The ceasefire agreement between the Government of Sri Lanka and LTTE has been seriously hampered by heightened levels of violence. Since early December 2005, violence has escalated dramatically, including military confrontations in the north and east; suicide bombings and claymore mine attacks in all parts of the country; and increased death and injury of civilians.

*. From 1 November 2005 to 30 September 2006, UNICEF received reports of 513 children recruited or re-recruited by LTTE. These figures only represent the number of cases reported to UNICEF, and there were indications that the prevailing security situation might be deterring families from reporting cases.

* Concerns have also been expressed regarding the civil defence training provided by LTTE to civilian communities throughout the north and east. UNICEF received reports of children as young as 16 years being included in the training programmes. School principals and teachers were also required to attend, affecting children's schooling.

Reports were received from Batticaloa, Ampara, Trincomalee and Kilinochchi districts of children not returning after attending the training programmes and it is suspected that they have been recruited.

*. As at 30 September 2006, UNICEF had received 128 reports of children being recruited by the Karuna faction. In the space of one week in mid-June, UNICEF received 30 reports alleging that children had been abducted by the Karuna faction in the areas of Santhiveli, Kiran, Mankerni, Valachchenai and Iruthayapuram (Manmunai North). Only boys were taken. All of the cases involved forced recruitment and abduction, in some cases by armed men who openly identified themselves as members of the Karuna faction.

* During the period from 1 November 2005 to 30 September 2006, the Sri Lankan Monitoring Mission received 195 complaints of child abductions, including 110 complaints against LTTE, 79 complaints against a non-ceasefire agreement entity (the Karuna faction) and 6 complaints against the Government of Sri Lanka.

* Bombing raids were conducted by the Sri Lankan air force against LTTE positions as part of retaliatory actions of a limited duration, causing death and injury to children.

* In Jaffna, Kilinochchi, Mullaitivu, Trincomalee, Batticaloa and Ampara districts, school attendance rates have decreased in many places because of fear of recruitment and the general security situ-

ation.

* The escalation in violence since July 2006 has curtailed access to civilians affected by the conflict in the north and east of Sri Lanka, restricting the delivery of humanitarian assistance and raising concerns about the security of humanitarian personnel...

Recommendations

* I recommend that the Security Council consider expanding its focus and give equal care and attention to children affected by armed conflict in all situations of concern; and to give equal weight to all categories of grave violations beyond the recruitment and use of child soldiers to include the killing and maiming of children, rape and other grave sexual violence, abductions, attacks against schools or hospitals, and denial of humanitarian access for children.

* I encourage the Security Council to continue to call upon parties to prepare concrete time-bound action plans to halt the recruitment and use of children in violation of international obligations applicable to them, and to expand the call for action plans to all situations of concern.

*. I call upon donors to ensure that adequate resources and funding are available to national Governments, the United Nations and partners, for the rehabilitation and reintegration of all children who have been associated with armed forces, and to develop relevant and effective programmatic action that reinforces the rehabilitation and reintegration efforts for children, ensuring long-term sustainability and success of such interventions.

*. I welcome the Security Council's continuing consideration of effective targeted measures against parties to armed conflict who continue to systematically commit grave violations against children in armed conflict in defiance of Council resolutions.

* I encourage State parties to the Convention on the Rights of the Child to take measures to support the recommendations of the Committee on the Rights of the Child, to strengthen national and international measures for the prevention of recruitment of children for armed forces or armed groups and their use in hostilities, in particular by signing and ratifying the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict; enacting legislation that explicitly prohibits by law the recruitment of children under the age of 15 years into armed forces/groups and their direct participation in hostilities. (Courtesy of Sunday Times, 3 Dec 2006)

Countries turn spotlight on human rights in Sri Lanka

Dec 1 - Finland, Britain and Canada have expressed deep concern over the human rights situation in Sri Lanka while at the same time praising Government moves to establish a commission of inquiry.

The views were expressed at the third session of the Human Rights Council which began sittings in Geneva on Wednesday (Nov 29) with the UN Human Rights Commissioner also in attendance.

UN High Commissioner for Human Rights Louise Arbour welcomed the initiative taken by President Mahinda Rajapaksa in establishing the Independent International Group of Eminent Persons (IIGEP) and the appointment of the Commission of Inquiry to probe the alleged killings and disappearances.

"In Sri Lanka my office has actively provided advice to the Government on the terms of reference for the Commission of Inquiry into killings and disappearances and on the role of the International Independent Group of Eminent Persons that will observe its investigations. I am pleased to note the fruitful cooperation between the Government and my Office with regard to this initiative and I welcome the incorporation of the majority of OHCHR's suggestions into the terms of reference," Louise Arbour said speaking at the opening of the third session of the Human Rights Council in Geneva. She expressed her hope that the Commission of Inquiry will prove effective in bringing the perpetrators of serious human rights violations to justice.

"I would also like to reiterate my Office's readiness to assist the Government of Sri Lanka in addressing the protection of human rights and in particular the protection of civilians, who have continued to be the primary victims of recent violence," she added.

Vesa Himanen speaking on behalf of the European Union expressed deep concern over the human rights situation in Sri Lanka, and urged that the question of impunity be addressed promptly.

Nicholas Thorne representing Britain said his country remained deeply concerned over the situation of human rights in Sri Lanka but at the same time noted with satisfaction the establishment of the commission of inquiry that would investigate alleged violations of human rights.

Canadian representative Paul Meyer said the Government of Sri Lanka should ensure the protection of civilians and unhindered access by international humanitarian organizations.

The Swiss ambassador Blaise Godet called for transparency in the work of the commission of inquiry. Switzerland also expressed concern over the situation of child soldiers in Sri Lanka and asked the High Commissioner whether she would undertake some action on this matter before the report of the Special Rapporteur on this issue was published.

Ms.Sarala Fernando, Permanent Representative of the Sri Lanka Mission to the United Nations in Geneva, on behalf of the Sri Lankan delegation to the Human Rights Council Sessions in Geneva, responding to the update of the High Commissioner and to the comments made by other delegations, thanked the High Commissioner for her up date and appreciated her statement welcoming the establishment of the IIGEP and her encouraging remarks during this session.

The Ambassador reiterated that the Government has always remained fully committed to further peace talks with the LTTE without preconditions. She said, "It is our hope that the international community will strengthen our hand by applying pressure on the LTTE to change its violent ways and to come into a negotiated settlement within the contours of democracy."

As a democratic state since independence Sri Lanka stands by its pledge to brief the Council in a comprehensive manner. Efforts continue towards formulating a Constitutional framework for a broader negotiated settlement.

She said that like other Member States, Sri Lanka had faced the brunt of terrorism for many years and had always been committed to the protection of human rights while combating terrorism.

"It was in this context that Sri Lanka informed the Human Rights Council of progress made in the establishment of the commission of inquiry on November 3 by the President of Sri Lanka to inquire and investigate into a number of alleged serious violations of human rights which had occurred since August 1, 2005," she said.

The Sri Lankan envoy in Geneva also said that the Government continued to provide essential supplies by its own efforts to all people affected by the conflict and that a Consultative Committee on Humanitarian Assistance had been established where the Government and all stakeholders, including the United Nations and the ICRC, met regularly to address any outstanding issues.

She stated that President Mahinda Rajapaksa announced his intention to open the Muhamalai entry/exist point at A9 highway to enable the transport of

essential supplies to the Jaffna Peninsula.

She also pointed out that the Government has recently proposed the creation of safe places for internally displaced persons in Vakarai and the Government continues to receive and provide shelter for large numbers of persons escaping from LTTE controlled areas in the East.

Replying to a statement made by the Swiss delegation with regard to child recruitment by the Karuna Group, the Ambassador reminded the Swiss delegation not to divert attention from the fact that the main offender on recruiting child soldiers has been identified by the UN is the LTTE as amongst the worst law-breakers in the world.

The Ambassador referred to the request made to Mr. Allan Rock to provide any credible evidence on the issue of alleged support being extended to the Karuna Group and referred to the Government's zero tolerance policy on child soldiers.

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HRW backs charge of child abductions by Karuna Group

Nov 28 - The Sri Lankan security forces must immediately stop assisting abductions of boys and young men by the Karuna group and help those abducted return safely to their families, Human Rights Watch said on 28 November..

A Human Rights Watch report to be published next month finds that the Sri Lankan military and police are complicit and, at times, directly cooperating with the Karuna group, an armed faction that split from the Liberation Tigers of Tamil Eelam (LTTE) in 2004. Led by V. Muralitharan, a former Tamil Tiger commander known as Karuna, the group has abducted hundreds of boys and young men in eastern Sri Lanka this year.

"We have clear and compelling evidence that government forces are helping Karuna forces abduct boys and young men," said Jo Becker, children's rights advocate at Human Rights Watch. "The government should stop the abductions and help kidnapped children go home."

The allegations of government involvement gained major media attention on November 13, when Ambassador Allan Rock, a United Nations advisor on children and armed conflict, reported in Colombo that the Karuna group was abducting children in government-controlled areas of the east. Concluding a 10-day visit to Sri Lanka, Rock found "strong and credible evidence that certain elements of the government security forces are supporting and sometimes participating in the abductions and forced recruitment." The ambassador also condemned the Tamil Tigers for continuing to recruit children as fighters.

Sri Lankan President Mahinda Rajapaksa said he would order an immediate investigation into whether abductions with government involvement were taking place. The government would hold accountable those found to have violated the law, he said. But the military dismissed the charges as "biased" and the foreign minister called them "unfounded." At a demonstration last week outside UN headquarters in Colombo, protesters accused Rock of sympathy for the Tamil Tigers.

Human Rights Watch has long criticized the Tamil Tigers, including in a 2004 report "Living in Fear," for abducting thousands of boys and girls for use in its forces. On Monday November 27, Human Rights Watch urged the UN Security Council to impose sanctions against the Tamil Tigers and armed groups in other countries long known to recruit and use child soldiers. The Security Council debates the issue today.

In October, researchers from Human Rights Watch found that, by cooperating with the Karuna group on abductions, the Sri Lankan government has been complicit in the same illegal methods long used by the Tamil Tigers.

The UN children's agency UNICEF has recorded more than 130 child abductions by the Karuna group in eastern Sri Lanka's Batticaloa district alone this year. Other abductions are reported in the districts of Ampara and Trincomalee. UNICEF estimates the real number of child abductions is three times higher, because many families are too afraid to report the kidnappings for fear of reprisals.

Human Rights Watch investigated more than 20 child abduction cases by interviewing witnesses and the parents of abducted children in government-controlled areas. In one case, the Sri Lankan army surrounded a village, gathered the young men and boys, recorded their names, and took their photographs. Karuna forces came later that day and abducted eight of the boys and young men.

Parents frequently saw their children, just after they had been kidnapped, in the local offices of the Tamil Makkal Viduthalai Pulikal (TMVP), the political party recently founded by the Karuna group. In Batticaloa and Ampara towns, the TMVP offices are guarded by police. In other places, they are situated less than 100 meters from a Sri Lankan military camp. Government forces would therefore have seen the children in these offices and camps.

Some parents told Human Rights Watch they were allowed to see their children in Karuna camps, which are mostly located north of Welikanda town in Polonnaruwa district. Some had traveled through more than 10 Sri Lankan police and military checkpoints to reach the camps where the children were held, including one at the intersection of the main road and the road that leads to the camps.

"There's no way the Karuna forces could transport vanloads of abducted children along these roads without government forces knowing," said Becker.

Human Rights Watch's report will include maps of the area, with camp and checkpoint locations to illustrate the point.

The government has known about Karuna child abductions since at least June 2006, Human Rights Watch said. That month UNICEF issued a public appeal, saying the forced recruitment of children by Karuna forces had increased since March. The agency appealed to the government "to investigate all abductions and ensure that children in affected areas are given the full protection of the law," a UNICEF statement said.

In July, a group of more than 40 mothers of abducted children filed a detailed petition to the chief justice of the Sri Lankan Supreme Court, seeking an inquiry. Copies went to the president and the minister for disaster management and human rights.

"Official surprise at Ambassador Rock's allegations is not genuine," Becker said. "The government has known about Karuna abductions at least since June, if not earlier, and it has failed to stop the kidnappings or investigate the culprits."

Human Rights Watch called on the Sri Lankan government to take three immediate steps:

Publicly order military and police forces to stop abductions by the Karuna group;

Facilitate the release and safe return of all children and young men abducted by the Karuna group; and,

Investigate and hold accountable all individuals found to have ordered or participated in the abduction of children and young men, including members of the Sri

Lankan security forces, regardless of rank.
Human Rights Watch called on the leadership of the Karuna group to cease abductions and release all abducted children and young men in its custody.
"And routine promises are not enough: the Sri Lankan government must act now to protect its children

ICJ urges UN rights monitoring in Sri Lanka

Dec 1 - The International Commission of Jurists (ICJ) has called on member states of the United Nations Human Rights Council to closely scrutinise the human rights situation in Sri Lanka and renewed its call for the establishment of a fully-fledged human rights operation in the country.
"There is little neutral space left in Sri Lanka. Civilians are suffering the human rights and humanitarian consequences of a deepening conflict and unaccountable armed forces on all sides", the ICJ said.
"The Human Rights Council must not turn away. It can and should play a constructive role in helping to prevent and stop the continuing serious violations of human rights and humanitarian law in Sri Lanka and in helping to tackle systemic impunity", it said.
The ICJ also urged the LTTE to ensure that military assets, including fighters, are not placed in areas where civilians can be at risk.
"The humanitarian crisis is being politicised by both sides to the conflict, with little consideration of the rights of the civilian population", it said.
Many of these human rights violations have taken place since the President announced the Commission of Inquiry into specific past violations, underlining the urgent need for measures, beyond investigations, to prevent and stop ongoing human rights violations by all parties to the conflict.
"Experience around the world has shown that in such acute situations as in Sri Lanka, a professional, impartial and international human rights field presence can play a significant role in helping to protect lives and create a space in which diplomatic initiatives can take shape", the ICJ said.
"We believe discussions should be stepped up with the Sri Lanka Government about how to establish a suitable human rights operation in the country", it said. The ICJ called on the members of the Human Rights Council to remain aware of the situation in Sri Lanka and examine the human rights situation in detailed discussions during the third session of the Human Rights Council; * Support the recommendation made by UN human rights experts, and also the High Commissioner for Human Rights, that international protection mechanisms are needed in Sri Lanka, by encouraging discussions with the Sri Lankan Government to develop a plan to establish an international human rights field presence in Sri Lanka; * Follow closely the work of the planned Presidential Commission of Inquiry and seek reports from the Sri Lankan Government, the International Independent Group of Eminent Persons and the High Commissioner for Human Rights about the Commission's progress, including compliance with international standards on investigations of past human rights violations; * Request the Government to invite the UN Working Group on enforced and involuntary disappearances to visit Sri Lanka; * Fully consider the section of the report of the United Nations Special Representative for Children and Armed Conflict that relates to Sri Lanka, when it is released.

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Karuna on child recuritment, commits to work with UNICEF

Dec 7 - Vinyagamoorthy Muralitharan (Col Karuna), a former LTTE commander in the eastern province and presently leading the TMVP, contacted the UN Special Representative for Children and Armed Conflict on Monday (4), regarding the listing of his group to the UN Security Council, according to a press release issued by the UN office in Colombo. The move comes following a report by Allan Rock, the Special Advisor to the UN Special Representative, which accused the Karuna group of abducting and recruiting child soldiers and the Sri Lankan military of aiding and abetting recruiting children to the ranks of the Karuna group.
Mr. Muralitharan has confirmed that he would take the following actions which will be formalized in an action plan negotiated between Karuna's group (TMVP) and UNICEF, according to the UN office in Colombo: 1. Re-issuing a policy statement to inform all the commanders of the Karuna faction in the field that using and recruiting children is not an acceptable practice; 2. Training all commanders in the field on child's rights with all necessary assistance from the International Community; 3. Releasing children who may be found among Karuna ranks to their families, in collaboration with relevant NGOs and/or UNICEF; 4. Giving free access to the Karuna camps for UNICEF monitors to ensure that no children remain associated with the armed group.
UN's Special Representative for Children and Armed Conflict, Radhika Coomaraswamy of Sri Lanka, describing the paramilitary group's move as a "major step," said she hoped to receive a commitment from the Liberation Tigers of Tamil Eelam (LTTE) granting UNICEF monitors access for independent verification to their camps in the near future.
Allan Rock's report issued on 13 November said, "The mission's initial findings reveal that the LTTE has not complied with its commitments under the Action Plan to stop child recruitment and release all the children within their ranks."
"The mission also discovered a disturbing development involving the Karuna abductions. It found strong and credible evidence that certain elements of the government security forces are supporting and sometimes participating in the abductions and forced recruitment of children by the Karuna faction."
"The mission met with the parents of many of the abducted children in Batticaloa district. As a result, it learned of eye-witness evidence that links the Karuna faction abductions to certain government elements. Based on the evidence as a whole, the mission concluded that some government security forces are actively participating in these criminal acts."

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Why does man kill man?

Shah Jahan

"Dear God, Had you made me into a bird today, I wouldn't have cared, nor cried.. I'd build a home on a green branch that no other bird will burn, nor claim his. I'd feed off of the earth, where there's enough for all the other birds. But –my dear God- I am not a bird.. No, you didn't make me one.. you made me a female human.. who makes love to one man, to give birth to another.. then watch the two kill each other.. dear god, Where does all this evil come from? Why does man kill man?"

I accidently came acroos this internet blog owned by a Saudi Arabian young lady living abroad. Her last three lines and her final question stunned me. Yes, God made her a human being to fall in love with a man and give birth to another and watch they kill each other. Why does man kill man ? It is a wonderful question today.

But it started not today or yesterday, from the time of Adam and Eve, the first people who got expelled by God from the garden, and believed to have landed in a country called today Sri Lanka. It is the story of Cain and Abel, children of Adam and Eve. One day they both offered a sacrifice to God, Cain offering fruit and grain, and Abel offering the fat, fatlings, or milk. God favoures Abel's offering, and subsequently Cain murders Abel, assumed simply to be jealousy over God's favoritism. There are other versions also for Abel's murder.

That way, the first man who killed a man was Cain, and the first man who was killed by a man was Abel. Therefore the first murderer of the world was a Sri Lankan [pardon me] and the first martyr also of the same country. Further the first country where human blood shed, and the dead body was buried was our own Lanka. Is not it ? Later Jewish tradition identifies the place as Damascus.

As, in the Torah, Cain was ordered to wander the earth perpetually in punishment, without death. As per book of Jubilees, Cain settled down, marrying his sister, Awan, resulting in his first son, Enoch, approximately 196 years after the creation of Adam. Stories do crop up from time to time that Cain was still seen here or there wandering.

If so, the entire human being of this universe are decendants of the first criminal of the world. No wonder brother killing brother habit still continues in Lanka, that has produced, out of God fearing and chaste flock, the most ruthless militants in the world with the longest endurance ever a terrorist group had. The present killings, shootings, bombings are the testimony that peace to this island, like many wish, would not be that easy, not even with an extra mile but of many more miles.

When man killed man by the name of politics, opponents of Governments also took up arms under the name terrorists, militants, guerillas, and insurgents to expose their anger and disapproval against establishments. Presently Sri Lanka tops the world news in terrorist activity. Events of last week made Sri Lanka the cynosure in the latter part of the week. The most brutal event was the murder of a TNA member of parliament Raviraj. The saddest incident was the attack on displaced people at Vakarai. The worrisome was the fights in the sea.

Killing a parliamentarian, to what ever party he belonged, or a minister, is not a simple matter. It not only attacks the basic structure of our democratic set up, but also an open challenge to the law and order situation in the capital city. LTTE, well over a decade, has successfully performed this job regularly, thus depriving the South of quality-qualified politicians. Nowadays, pupils, not people, who came out of the University of the LTTE also carry out such jobs, in addition to LTTE's competitors who are already in the field.

Once I was surprised to see a female Sinhala friend quoting positively about Raviraj's talk show. Being straight forward in his statements, Raviraj was much agitated over Joseph Pararajasingham's murder and a few times in his TV interviews, he mentioned he had given the names of the perpetrators to the president but of no avail.

The President has condemned the assassination as a well planned attempt to bring the country and the Government into disrepute. Beg your pardon sir, there is a small correction. The country and the Government will be put into disrepute if the culprits are not brought before justice. Besides President's initiative to seek the help of Scotland Yard is a welcome sign. At this juncture may I ask, how could we find fault with Hakeem's request for an international inquiry on Pothuvil murder?

But people are not much optimistic, as the culprits are presumed to be pro government Tamil elements. "An Englishman is never in the wrong. He does everything on principle. He fights you on patriotic principles." Bernard Shaw's play, The Man of Destiny. King's men make no mistakes has been the policy here.

Besides, observing mourning is a respectable thing. But closing shops will affect commercial activities. Politicians know nothing about business movements. Mind you, we only have the highest number of holidays. Further we are a nation who declared one day holiday for winning a test match over India. It is a mania here which should be stopped. In a place like Singapore, no holiday was given for any President's death. Traffic was diverted, not blocked only 100 yards a head for funeral procession.

The attack on displaced persons on the 8th in Vakarai surprised the world and received condemnation from many including the Chief Minister of Tamilnadu, which is simmering in sympathy for civilians, not much for militants. Need not I say pro LTTE political parties are active to arouse feelings. A sinister web is being spun here.

As the writing on the wall is, more attacks in the North and East are in store, protest meetings and demonstrations have become daily occurrence. They receive wide publicity. It can gather momentum as the general perception here is, Sri Lanka is insensitive to people's safety on its pursuit to fight the Tigers. On the whole the way Tamilnadu is proceeding, it will strain Lanka's relationship with New Delhi in time to come.

Raviraj's murder was the lead story in a moderate Tamil newspaper. If Muslims of Sri Lanka and Tamilnadu could protest in support of Saddam Hussain who mercilessly killed thousands, including his own two sons-in-law, thus making his daughters widows and his grand children fatherless, definitely Tamils across the Palk-straight will rise in sup-

port of the innocents when another human tragedy takes place. The forth coming President's visit to New Delhi is sure to have some reactions in Chennai.

The sea fights augurs for many more things to come in future. Until A9 is kept closed, LTTE will try its best to show its sea power when ever necessary. As we know Cain's descendants will hesitate not to kill siblings.

We are for a big showdown soon. But both say, they defend the attack or attack in defense. Attack and defense have different meanings. To shake hands, one hand should stretch first. Here both say other only stretched first. How come .

When Pearl harbour was attacked US was not on alert. Here in Sri Lanka both the parties have their fingers on trigger, standing face to face. Common people have no way to know who blinked eyes first. Mr.Donald Rumsfeld once said in 2002, "There are things we know that we know. There are known unknowns.... Things we now know we do not know. But there are also unknown unknowns. There are things we do not know that we do not know."

Presently, the North is starving for food and shivering with fear, anticipating the mother of all wars. Food parcels at post offices is international news. It is a shame. This was how 50 years ago people from Hong Kong used to send food and gift parcels to poor relatives in China.

The East is also highly disturbed and displaced, running from pillar to post for existence. Sri Lanka seems to have lost all the good will it had with these folks and SL's argument that the LTTE is using them as human shield does not sell much with them. As far as they are concerned this is a reign that is hell bent to succumb the Tamils and LTTE to defeat.

Once, Confucius, [551B.C.-478 B.C.] the greatest Chinese philosopher, and his disciples found an old woman crying beside a grave. On questioning, the woman said that a tiger had killed her husband, her husband's father and now her son. "Why then do you live in this dangerous place?" asked Confucius. "Because there is no oppressive government here," she replied. Confucius told his students: "Remember oppressive government is worse than a tiger." Yes, this is the sentiment of the Tamils too. As long as man kills man in Sri Lanka, Tamils will be of the opinion, an oppressive government is worse than tigers!.

Co-Chairs on escalating violence in Sri Lanka

"Only by committing to sustained and substantive negotiations can the downward spiral of hostilities and human rights violations be reversed," the Co-Chairs of the Sri Lanka peace process said in a joint statement.

Following is the joint statement by Norway, the United States, the European Union, and Japan following their November 21, 2006, meeting as Co-Chairs of the Tokyo Donors Conference:

The Co-Chairs of the Tokyo Donors Conference - Norway, the United States, the European Union, and Japan - met in Washington, D.C. on November 21.

The Co-Chairs view with alarm the rising level of violence in Sri Lanka that has led to significant loss of life and widespread human rights violations. The Co-Chairs condemn the continued and systematic ceasefire violations by Government of Sri Lanka and LTTE. We call on both sides to seize the historic opportunity created by the 2002 Cease-Fire Agreement to resolve the country's conflict peacefully. Only by committing to sustained and substantive negotiations can the downward spiral of hostilities and human rights violations be reversed.

The Co-Chairs particularly condemn the LTTE for initiating hostilities from heavily populated areas and the Government of Sri Lanka for firing into such vulnerable areas and killing and wounding innocent civilians. The Co-Chairs call on both sides to respect international humanitarian law and set aside demilitarized zones to protect internally displaced persons.

The Co-Chairs recall the responsibility of both parties to guarantee the security of the Sri Lanka Monitoring Mission to fully exercise its mandate. The Co-Chairs were disturbed by the incident on November 8 when the Head of Mission of the SLMM came under fire. The Co-Chairs remind the parties of their responsibility to respect all rulings by the SLMM and to implement the Cease-fire Agreement fully, including re-opening the A-9 highway.

The Co-Chairs recognize that talks took place on October 28-29 in Geneva. However, we urge the Parties to the conflict to commit to a structured and sustained process of further negotiations without preconditions once a proposal is available, as indicated by the Government and welcomed by the LTTE delegation in Geneva.

The agreement between the Sri Lankan Freedom Party and the opposition United National Party should lead to a credible power-sharing proposal that can help form the basis for a viable negotiated settlement between the Parties. At the same time, the specific arrangements for the north and east should not be disturbed as they are fundamental to continuing the dialogue to achieve an agreement. The legitimate interests and aspirations of all communities, including the Tamil, Muslim and Sinhala communities must be accommodated as part of a political settlement.

The Co-Chairs welcome the Government of Sri Lanka's progress in establishing a Commission of Inquiry for Human Rights with international observers. They condemn the growing violations of human rights by all sides and the fear that pervades civil society, politics and the media. The Commission of Inquiry and the Government should work promptly to bring the perpetrators to justice and to address the climate of impunity.

Citizens are caught in this conflict and agencies are unable to reach them. We recognize the efforts by government to provide essential supplies themselves and welcome the establishment of the consultative committee on humanitarian assistance that is addressing several humanitarian access issues for international agencies.

The Co-Chairs urge both parties to depoliticize the issue of humanitarian access and for the immediate, permanent and unconditional opening of the sea and road routes for humanitarian convoys of essential supplies. As a first step towards this, the Co-Chairs wel-

come the readiness of the Government to send one convoy via the A-9 highway to Jaffna and to allow International Non-Governmental Organizations with a proven track record immediate access to uncleared areas to restart their relief work. The Co-Chairs call on the LTTE to cooperate with such initiatives.

The Co-Chairs, together with other members of the international community, express their strong support for Norway's ongoing efforts to facilitate the peace process and the Sri Lanka Monitoring Mission's role in monitoring the Cease-Fire Agreement."

Press conference

At a press conference held soon after the Co-Chairs ended their meeting and released the joint statement, in answering a pointed question the United States adopts a two- track policy, a soft line and hard line towards this conflict in Sri Lanka, the US Under Secretary of of State, Richard Burns, said, "The United States doesn't normally have two policies towards one country; we normally follow one. And in the case of Sri Lanka, the Sri Lankan people and government are a good friend to the United States. We support the government. We have a good relationship with the government. We believe the government has a right to try to protect the territorial integrity and sovereignty of the country. The government has a right to protect the stability and security in the country. We meet often with the government at the highest levels and consider the government to be a friend to our country.

"We also believe that the Tamil Tigers, the LTTE, is a terrorist group responsible for massive bloodshed in the country and we hold the Tamil Tigers responsible for much of what has gone wrong in the country. We are not neutral in this respect. I'm talking about the United States Government now. And therefore we hope very much that the people of Sri Lanka will be able to live in peace in the future.

"Now, there are times when the government takes actions that we have to speak out because of our opposition to those actions. There have been, as you know, a number of incidents over the last few months that have given us a great deal of concern about the use of military power against civilians and against aid workers. And we have called on the government and in our direct conversations with the government to establish a committee of inquiry - the government has done this - and international observers to help find out the truth of what happened and then to ask the government to hold those people responsible. And we have been apprised by the government just in recent days that they intend to do that.

"So that would be a general sense of the United States policy towards Sri Lanka. But we share in this respect with our Co-Chairs partners an abiding hope for peace and for an end to the conflict, and we hope to use the combined influence of the European Union and Japan, Norway and the United States, working with countries like India, to see if we can bring our influence to bear to make some suggestions that might be helpful to the government and helpful in bringing about a ceasefire and peace negotiations. That is our immediate objective and that is the policy of my government."

Sri Lanka: The Politics of Purity

Nira Wickramasinghe

The exclusivist politics and mindsets of those who have drowned Sri Lanka in civil war must be challenged by a creative recovery of the island's hybrid identities.

The delegations representing the Sri Lankan state and the Liberation Tigers of Tamil Eelam (LTTE) met on 28-29 October in Geneva for talks to thrash out a possible settlement to the civil war that has ravaged the island of Sri Lanka since 1983. They did so against the background of military operations raging on both sides in the country. It was sadly predictable that the politician-warriors at the talks remained entrenched in their mutually irreconcilable positions, and returned empty-handed to their wounded land of 75,000 war widows, 25,000 child soldiers, 220,000 internally displaced people, and 1,000 people killed since April 2006 alone.

Yet had they stepped back from their political calculations for a moment, they would have found that they spoke the same language: a language of fear and difference, of force and exclusiveness; a language that could only end in insoluble contradiction.

The mirage of peace

Both sides attended the Geneva talks with ulterior intentions. The Colombo government was paying lip-service to an international community that had wanted the meeting as a sign of goodwill; the LTTE saw the event as an opportunity to highlight the humanitarian crisis in the north and east of Sri Lanka due to the closure by the government of the A9 highway. The civilians in Jaffna were once again sacrificed by the intransigent attitude of both parties.

Since 2004, the governments of successive presidents, Chandrika Kumaratunga and Mahinda Rajapakse, have sought to undermine the ceasefire agreement reached in 2002 by Sri Lanka's then prime minister, Ranil Wickremasinghe. This created the room for a Sinhalese nationalist backlash. Rajapakse was elected on 17 November 2005 promising a just peace, but the overtone was that a military solution was the only option to save the Tamil people from the clutches of the "fascist" LTTE and to protect the integrity of the nation.

In October 2006, government forces were badly hit in two attacks at Muhamalai and Habarana where more than 230 military personnel were killed. The government's response is a plan to double its defence expenditure in 2007 and prepare for a major assault against the Tamil Tigers. The LTTE too is busy rearming.

Thus, exactly a year after the presidential election, and three weeks after the abortive Geneva talks, it is clear that for both sides, the preferred option is war in order to gain unilateral military advantage; establishing a dynamic for peace in the present grim context is a remote prospect.

The only positive element in an otherwise depressing scenario is the signing of a memorandum of understanding between the two main political parties: the ruling Sri Lanka Freedom Party (SLFP) and the United National Party (UNP), over working towards a political solu-

tion in the country that entails devolving power to the north and east. But by the time the military operations are over, it must be feared that the tired, battered and starved populations of the north and east will refuse even a reasonable offer put forward by a government that has shown little compassion for their suffering.

A discourse of purity

In Sri Lanka, where issues of history and territory have been at the heart of the claims and counter-claims of leaders of the Sinhalese and Tamil communities, it is useful to adopt a rhizomatic approach to history: that is, one where the future and past are constantly in the process of becoming each other.

The understanding of culture in Sri Lanka - of statesmen, rebels and practitioners of "conflict resolution" - has predetermined the type of resolution to the civil war in the country and in a sense precluded other frameworks for reconciliation.

Everyone in Sri Lanka - except those dismissed as "spoilers" and "un-liberal" forces - tends to accept that people "have" a culture with clear-cut boundaries and easily recognisable features. The way issues of inequity and difference have been addressed is deeply influenced by this approach.

Furthermore, people forget that the distribution of communities varies from one region to another. While there are areas with a majority of over 80% (Tamil in the far north, or Sinhalese in the far south), there are also areas with approximately 25% minority populations, and areas with approximately equal representation between groups (such as the plantation district of Nuwara Eliya, and the Trincomalee and Amparai districts in the east).

The dominant belief is, however, in purity of cultures compounded by territorial exclusivity: ideas that acquired hegemonic status with the growth of nationalism and anti-colonialism and which have been further entrenched in recent decades. Colonial rule helped propagate the idea that identities were fixed and stable and that one could not jump from one to another.

For example, in the 1920s in his certificate of discharge YG Stephen, an engine-cleaner, had to state his race after his name, in this case Tamil. Nationalists did not contest the reading of society embodied in such requirements: one divided into well-defined and discrete communities. In the early 20th century the Sinhalese lay preacher Anagarika Dharmapala (1864-1933) promoted a national dress for the Sinhalese that would be devoid of external cultural influences: the Sinhalese man should not "show the entire body like the Veddas who wear only a loin cloth, not wear a trouser like the fair Portuguese."

There were of course subversive moments, which should be rekindled, where the power of definition was denied to the colonial power and the apparatus of value-coding displaced: many village tribunal presidents chose to wrap a sarong over their trousers, thus acknowledging both European and Ceylonese customs.

There are many ways in which the order of progress and reason, the implacable dichotomies of colonial thought - east/west, traditional/modern, primitive/civilised - were undone. But nationalism never claimed hybridity and instead reiterated and reinforced the colonial discourse of purity.

The state denies the option of straddling many identities. But in everyday life in border areas, and among coastal communities, men and women spoke (and still speak) two languages and continue to visit all places of worship - Catholic churches, Buddhist temples and Hindu devales. In the eastern province, Hindu and Muslim villages are commonly interspersed and there was probably a significant degree of intermarriage in the pre-colonial period. Until recently, Muslims participated in Hindu temple festivals, and some Hindu castes such as the Parayar drummers were given a customary role in the celebration of Muslim saints' festivals.

Beyond the federal argument

Colombo-based think-tanks, untouched by the complexity of the population distribution of Sri Lanka and by the overlapping of identities and cultural practices, continue to advocate a federal reorganisation of the state as the formula for solving the "ethnic problem". They are implicitly supported by aid donors and multilateral agencies.

But the formation of cultural enclaves as a solution to the demands for justice by the Tamils of Sri Lanka is both troubling in itself, and inadequate or insufficient. Since more than half of the Tamil-speaking people live outside the would-be devolved regions (i.e. the north and east). It is the Sri Lanka state in its entirety that needs to undergo a drastic change.

This would mean sapping the cultural exclusiveness of our schools - organised according to language/ethnic streams, offices, clubs, associations, and political parties. Unfortunately there seems to be no political formation capable of this type of innovative thinking. The possibility of a social-democratic, secular type of rule was closed from the mid-1950s; at that time, both main parties - the UNP and the SLFP - adopted policies that emphasised the majority culture and language, while the old left that harboured more secular values was decimated by the rise of the Janatha Vimukthi Peramuna (People's Liberation Front [JVP]), a nationalist/populist new left.

Since then, the dominant Sinhala and Buddhist culture and language permeate all institutions and the everyday life of citizens, while minority religions and languages are permitted to exist as cultural forms rather than as political options. Multiculturalism exists only in law; in practice government circulars are rarely written in both languages and police stations are aggressively monolingual. The president of the country addresses his citizens in Sinhala only; wears the Sinhala national dress and is regularly seen on state TV worshipping in Buddhist temples together with his Catholic wife.

In 2006, as part of the Vesak festival that celebrates the birth, enlightenment and death of the Buddha, the state (for the first time in Sri Lanka) decreed an entire week of abstinence for all inhabitants and visitors to the country. Once again the stress was on preserving Buddhism in its purest form rather than ac-

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NEWS IN BRIEF

No lethal weapons for Sri Lanka

Nov 19, Chennai: India has taken "great care not to provide Sri Lanka with lethal offensive items of military hardware, specially of the kind that could be used against the Tamil population," Prime Minister Manmohan Singh has said.

In a letter to Marumalarchi Dravida Munnetra Kazhagam general secretary Vaiko, he said: "We will reiterate to the Government of Sri Lanka that they must find a political solution through negotiations that will meet the genuine and legitimate rights of the Tamils, rather than adopting tactics that lead to death of innocent people." Releasing copies of the Prime Minister's letter at a press conference here, Mr. Vaiko said Dr. Singh wrote to him on November 12 in response to the MDMK's plea, through a detailed memorandum on August 30 and a letter on November 6, for despatching humanitarian assistance to the Lankan Tamils.

Over 18,742 Tigers killed in 24 years

Nov 25 - The LTTE has recently announced that more 18,742 members of the organisation have been killed during the 24 years of its armed rebellion in Sri Lanka. The figure appears to include Tigers killed not only in fighting the Sri Lanka armed forces, but also those killed in the LTTE's military confrontation with Indian Peace Keeping Force (IPKF) and internecine fighting against other Tamil militant groups.

The LTTE said that the majority of the dead cadres were males, numbering 14,677. 4,065 female cadres were also killed. The Tigers said that 299 cadres had died in suicide attacks, the majority of 220 in the course of attacks at sea. The majority of the dead Black Tigers were also male, 217. The Tigers also listed 279 deaths under it auxiliary forces and 454 others as patriots. The Tigers said that in the course of this year alone, 818 of its cadres were killed.

UNICEF wants Karuna to stop recruiting children

Nov 26 - UNICEF is pressurising the Karuna faction led by LTTE renegade Karuna Amman to immediately cease the recruitment of children to his cadre-base. UNICEF, which was given the mandate to monitor child rights violations of the cease-fire agreement at the Oslo round of Peace Talks in November 2002, in its latest report released on October 31st alleged that the Karuna group had recruited/abducted 142 children.

The organisation's communications officer Junko Mitani said that, "UNICEF has established contact with political arm of the Karuna group Tamil Makkal Viduthalai Pulikal (TMVP) at the central level and the district level. We continue advocating for the release of children whose cases have been verified by us and where parents have given consent to do so. We are also advocating for the cessation of recruitment of children by the group."

Ms. Mitani assured that as and when recruitment of children is confirmed, the organization will continue to raise the issue with the perpetrators and the authorities responsible for the protection of children. She also noted that UNICEF continues to cooperate with other UN organizations, NGOs and communities as well as the Government to protect children from under-age recruitment.

Navy destroys LTTE boats

Nov 28 - Sri Lanka's navy on Monday (27) reportedly destroyed a boat suspected of ferrying arms for Tamil Tigers off the island's west coast, the military said. The navy spotted a suspicious fishing boat off the coast of Chilaw, 70 kilometers (43 miles) north of Colombo, and was fired upon by its six occupants when they approached, an official at the Media Center for National Security said. The navy returned fire and the boat caught fire with a huge explosion, the officer said on condition of anonymity, citing policy.

Heroes' Cemetery bulldozed

Nov 30 - Sri Lanka Army has bulldozed the Alankulam Heroes' Cemetery in Muthur East, on November 25, said LTTE's Trincomalee District Political Head, S. Elian on Wednesday (29). "Sri Lankan military has once again desecrated a war cemetery. No military in the civilized world, would engage in a such act," charged Mr. Elilan. Headstones were bulldozed away and the resting place was destroyed by the military two days ahead of Heroes Day, he further said. Alankulam Heroes' Cemetery, the district's largest Heroes Cemetery where memorial stone of Major Ganesh, a senior LTTE commander who died in a battle with the SLA in 1986 and the tomb of Lt. Col. Kunchan, one of the commanders to die recently were located in Alankulam in Muthur East.

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cepting its modernity and allowing people to choose the life and mode of religious practice they wished.

The way forward

At a time when the state is openly and often aggressively promoting Sinhalese culture and Buddhism while paying lip-service to multiculturalism, the challenge today is to revitalise citizenship as an alternative to multiculturalism. Reconciliation is only possible within a state structure that recognises multiple identities through multiple acts of identification. Dividing territory according to "cultural identities" with the view to devolving powers should not be considered a panacea.

Sri Lankans deserve better than two federal units, mirror images of each other, each practicing similarly exclusivist policies, each fostering dreams of authentic cultures and pure "races". A parallel strategy is needed, aiming at radically transforming the existing state to ensure that common values of equity and justice for all its citizens are respected. Autonomy for the other can only happen in a state that nurtures pride in cultural mélange and hybridity, rather than in the fantasy of the purity and authenticity of cultures. *[Open University, 17.11.2006]*

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Among her books are Civil Society in Sri Lanka: New Circles of Power (New Delhi, Thousand Oaks/ Sage, 2001); Dressing the Colonised Body: Politics, Clothing and Identity in Colonial Sri Lanka (New Delhi, Orient Longman, 2003); and Sri Lanka in the Modern Age: A History of Contested Identities (C Hurst and University of Hawaii Press, 2006).

This article draws on material in Nira Wickramasinghe's "Sri Lanka's conflict: culture and lineages of the past" (Journal of International Affairs, 60/1, 2007

1500 kg explosives seized near Madurai

Nov 30, Madurai, Tamil Nadu - Around 1,500 kilograms of Sri Lanka-bound explosives have been recovered near here, when the van carrying the consignment met with an accident. According to police, the accident took place at Manamadurai, about 40 kilometres from Madurai. The police broke open the door of the vehicle as the driver identified as Vijay Kumar, had fainted after the accident. He has been arrested. Gelatine sticks and detonators were also recovered. The consignment was heading towards Sri Lanka via the sea route, as the material was found in water-proof packages of a very high quality. Mohaideen, a native of Uchipuli near Ramanathapuram, is said to have hired the vehicle. He managed to escape after locking it from outside, revealed police sources. Investigations are on in the matter. (ANI)

'Kutrapathirikkai' to released

Dec 1: The Madras High Court has directed the Central Board of Film Certification (CBFC) to issue an 'A' certificate to the Tamil film "Kutrapathirikkai" (Charge sheet or indictment), which is based on the Rajiv Gandhi's assassination, within four weeks.

The First Bench, comprising Chief Justice A P Shah and Justice K Chandru, on 30 November upheld an order by a single judge of the High Court that the certification be issued, especially since the producer had deleted four to five reels of "objectionable" portions in the movie. "We are in complete agreement with Justice D Murugesan's order and hold that the CBFC's appeal is devoid of any merit," the Bench observed. The Bench, which had watched a special screening of the movie a week ago, also agreed that the movie was a work of fiction and did not glorify the LTTE, a banned outfit in India. The makers of the movie have been fighting a legal battle for the past 13 years, with the CBFC refusing to certify the movie, thereby stalling its release. (Chennai-on-line)

Army lost 300 soldiers in Muhamalai

Dec 3 - Army Commander Lt Gen Sarath Fonseka has admitted in the United States last week that the military had had to sacrifice about 300 soldiers within a week-and-a-half of battle in Muhamalai. It was a larger figure than had ever been cited by the military in Sri Lanka following the Muhamalai battles. "However, engaging in such battles was necessary in order to deny the LTTE strategic advantage into security forces controlled areas, as they were seeking to do recently by trying to retake the Jaffna peninsula," Fonseka is reported as telling US Under-Secretary of State Nicholas Burns.

LTTE attacks on STF personnel

Dec 4 – Tamil Tigers attacked a group of Special Task Force (STF) personnel who were deployed in the Sangamankanda area around 8.40a.m today (Monday the 4th of December). The STF personnel were conducting a search operation; looking for the group of LTTE cadres who had robbed the Tsunami housing project at Rottikulam on 3 December.. Four STF personnel suffered injuries and were rushed to the General Hospital Ampara. Hospital sources said that one of the injured soldiers later succumbed to the injuries. Overheard radio transmission of the LTTE revealed that six LTTE cadres were killed in the STF retaliation., according the military.

French aid group resumes operations

Dec 4 - The French aid group Action Against Hunger announced on Monday (4) that it was resuming operations in Sri Lanka four months after 17 of its Tamil employees were killed, citing deteriorating humanitarian conditions. Action Against Hunger suspended its operations in Sri Lanka - and said it was rethinking operations worldwide - after the 17 workers were killed while performing post-tsunami relief in the seaside town of Muttur in August. The workers were wearing Action Against Hunger T-shirts at the time, the group said. On Monday, the group said in a statement that it plans to open a base in the coming days in the eastern Batticaloa district, one of the areas most affected by the conflict and home to some 75,000 displaced persons. Action Against Hunger, which had been working in Sri Lanka since 1996, expects to expand that to other areas later

Police grab with LTTE Suspects

Dec 6 - The police claimed that five suspected LTTE cadres including a woman who purchased a lorry with a deep freezer facility for Rs. 2.8 million from Colombo allegedly for the LTTE organization were arrested and the lorry together with a deep freezer was seized by the Mirihana police at a Nugegoda police checkpoint. According to OIC Mirihana Special Unit, Upul Samarasinghe, allegedly the LTTE had credited funds to the suspect's bank account to purchase the vehicle. He said three of the suspects, including the woman were from Matale and others from Kilinochchi. The Police allege that the LTTE's plan was to stuff the lorry with explosives to carry out a massive blast. The suspects are being questioned under detention orders.

Indo-Lanka navies to coordinate sea patrolling

Dec 6 - Ruling out joint patrolling with the Sri Lankan Navy, Indian Naval Chief, Sureesh Mehta said that the two navies are however, planning to go for coordinated patrolling of their areas. "The Indian Navy has no role to play in a sovereign Lanka. It can only help in the peace process," Naval Chief , Admiral Sureesh Mehta told reporters on the eve of Navy Day. He said the Indian Navy was taking precautionary measures to counter the problem of refugees in the event of a civil war in Sri Lanka. "Our concern is the influx of refugees, while the Sri Lankan Navy has to ensure that arms and contraband do not reach the Tamil Tigers." To exercise checks and controls, he said the two navies were planning to go for coordinated patrolling in which each side would provide information to the other on what was happening in their areas. (IRNA)

TN Assembly's resolution on plight of SL Tamils

Dec 7 - The Tamil Nadu Assembly on Thursday (7) adopted a resolution expressing deep concern over the conditions of Tamils in Sri Lanka who lacked "protection to life and property". State Chief Minister M. Karunanidhi moved the resolution, which said: "This house is deeply concerned about the travails of the Tamils in Sri Lanka because of lack of protection to life and property We request the central government to take necessary steps to alleviate the situation to the satisfaction of all concerned." The resolution was passed by a voice vote.

Appealing for calm, the chief minister reiterated the commitment of his party Dravida Munnettra Kazhagam (DMK) to the cause of Sri Lankan Tamils and said that "If need be, I will undertake another trip (to New Delhi) to brief the Central government. But it has to be understood by all that the steps taken by the central government alone can remedy the situation in the island. As responsible components of the UPA at the centre we can only appeal to the chairperson and the prime minister." "All of us will have to act concertedly to help our brothers and sisters in Sri Lanka and this can be done only by strengthening the hands of Prime Minister," he said.

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OBITUARY

Mrs Gnanambal Thiagarajah *daughter of the late Mr and Mrs Annamalai (Urumpirai) passed away after a brief illness on 24th November 2006. The funeral took place on 2nd December 2006. She was the widow of Sinnadurai Thiagarajah of Vannarponnai. She was the loving mother of Dr (Mrs) Chitra Velauthapillai (Lincoln), Mrs Thilaka Chanmugalingam (Toronto), Mrs Chelvy Elanganayagam (Toronto) and mother-in-law of Dr Eswaran Velauthapillai, Mr Chanmugalingam and Mr Elanganayagam. She was the beloved grandmother of Dr Arani Velauthapillai, Mrs Abirami Ganendra and Miss Karthika Elanganayagam. We wish to thank all those who attended the funeral sent floral tributes, messages of sympathy and helped us in numerous ways. We deeply regret our inability to thank them individually. May her soul rest in peace.*

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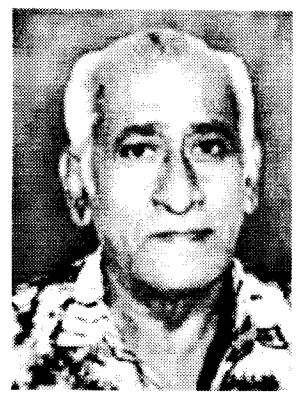
Mr. Chelappah Ratnasabapathy

Mr. Chelappah Ratnasabapathy *(Retired OA CGR) Beloved husband of late Parameswary, loving father of Sivaganeshan (Attorney-at-Law/Solicitor, UK), Sivashanmugam (Retired Engineer, Australia), Mallikadevi and late Ragunathan, father-in-law of Dr. Kamala Sivaganeshan (Retired E.N.T Doctor, UK), Manohari (Retired Banker, Australia) and Kularajahdeva (Retired Valuer, Sri Lanka), Grandfather of Prashanth (IBM, Singapore), Yasothan (Bank of America, UK), Sharmila (Citigroup, Australia) and Cris (Wall Street Journal, Singapore), Great Grandfather of Nikita, expired on 26. 11.2006. Cortege leaves residence 142 New Bullers Road, Colombo 04, Sri Lanka at 2 p.m. on Wednesday 29.11. 2006 for cremation at the Hindu section, Borella Kanatte at 3 p.m. The body will be kept at the above mentioned residence on Wednesday 29. 11.2006 (TP: 5337296/258 0361).*

54 1/3 Rajasinghe Road, Colombo 06, Sri Lanka (12).



Mr. Cinnaiah Sivapragasapillai *fondly known as, Kundumani Master, passed away peacefully on Sunday 26th November 2006 in Colombo Sri Lanka; He was beloved husband of Mrs Ankayatkanni Sivapragasapillai (Retired Assistant Principal of Ramanathan College , Chunnakam); ever loving brother Mr Cinnaiah Ratnasingham (Malayasia); precious father of Mrs Sivasakthy Sivanesan (Caranatic Music Teacher, Bharayatiya Vidya Bhavan ,London), Sivanathan & Sivanesan (Canada), Sivashankar (London) , Sivakalai (Colombo), Sivaganga (Austriyalia) , Sivaharan (Colombo); father-in-law of Karthigesu Sivanesan (London), Mythili Sivanathan & Usha Sivanesan (Canada), Swaranarani Sivashankar (London), Premnath & Sivanuja Sivaharan (Colombo); and loving grandfather of Sivapriyai , Sivayogan , Luxan , Sivakumaran , Sivasruthi, Sivanangai, Sivagowri , Bhairavi, Mayuri , Sivashankari , Sivahami , Nethri, Kasthuri & Karthika .*

After religious rituals from No.2, Vaidya Place, Vaidya Road, Dehiwala, he was cremated on Thursday, 30th November 2006 at 3.30pm at Mount Lavinia Hindu Crematorium.

IN MEMORIAMS

Second Year Remembrance

(1936 - 2004)

In ever loving and cherished memory of
Mr Sinnathurai Kanagenthran
on the second anniversary of his passing away on December 29, 2004.
Deeply missed and dearly remembered by his beloved wife Vijeyaledchumy, son Akilan, relatives and friends world over. We will for ever preciously treasure the love, wisdom and wonderful memories he brought into our lives.

Fourth Year Remembrance

In ever loving memory of
Mr. Canagasabai Viyakesparan
on the third anniversary of his passing away
on 13th December 2002.

Dearly loved, sadly missed and fondly remembered by his beloved wife Neelambal; loving sons Jivitkumar, Branavan and Senthuran; daughters-in-law Roshanthi, Ramanthi and Vijitha; precious grandchildren Manisha, Manojkumar, Ambika and Janaka; sister Viyakeswari; brothers-in-law Sahadevan, Rasadevan, Vamadevan and Nadarajah.

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AUSTRALIAN NEWSLETTER

AUSTRALIA is witnessing several bushfire outbreaks this summer with hundreds of homeowners are preparing to fight or flee fires, with several fires burning out of control in Victoria, New South Wales and South Australia. In Victoria, about 12,000hectare of mostly national park was razed in fires sparked by lightning on a single day. Among resources being used in Victoria to attack the fire included 7 tankers, nearly 100 other vehicles, 47 bulldozers and about 28 aircraft including the aircranes dubbed Elvis and Malcolm - where smoky conditions allowed them to be deployed. As conditions worsened, the state of Victoria issued a plea for help across Tasman from New Zealand, since neighbouring states of New South Wales and South Australia were fighting their own bushfires and could not be relied on to help. The fires are expected to affect 600,000hectare of forest and cleared land - half the devastation caused in the entire 2002-03 summer bushfires.

Thousands of Buddha statues at the Melbourne Town Hall will form the largest display of its kind in Australia as part of next year's celebration of 2550 years of Buddhism. A relic from the Great Stupa in the Central Victorian town of Bendigo will be the centrepiece of the exhibition of statues, images and paintings from major temples across Victoria. The week-long celebration will form part of Melbourne City Council's Chinese new year celebrations.

The Natural History Museum in London is to return the remains of eighteen aboriginal people to Australia, which includes the skull of an aboriginal person, thought to have been illegally exported to Britain in 1913. Australian Aborigines regards such collections as an affront to their customs and spiritual way of life and have long campaigned for the repatriation of human remains held in British museums and universities.

SOUTH AUSTRALIAN motorists are set to become the first in Australia to face fines if they smoke in a car when a child is a passenger. Under the new laws police will have the power to issue an on-the-spot fine of A$75 to a anyone smoking in a private car when a child under sixteen is present. According to Australian research findings, passive smoking can cause a whole range of serious illnesses, including bronchitis, pneumonia, chest infections, lung cancer and cardiovascular disease and about eight per cent of new asthma cases in children are attributable to passive smoking.

MELBOURNE Lord Mayor John So has been voted the world's most outstanding mayor - five years after becoming the city's first popularly-elected leader. Between June and October this year more than one lakh people from across the globe voted on about 600+ mayors as part of the World Mayor internet-based project organised by City Mayors, a international organisation working to promote local government. Mr So who was born in Southern China became the first directly-elected Lord Mayor of Melbourne in July'01, defeating several high-profile candidates, including Australian Democrats founder, Don Chipp.

- Sivasupramaniam Sitsabesan

Forthcoming Events

January 2006

01. *Pirathosha; The Solemnity of Mary, Mother of God*
03. *Thiruvembavai Ends & Aarudra Tharshan; Fool Moon;*
06. *Sankadakara Sathurthi; Maragatha Linga Abi; Solemnity of the Epiphany*
13. *Feast of St.Hilary*
14. *Thai Pongal*
15. *Eekathasi*
16. *Pirathosha*
17. *Feast of St.Anthony*
18. *Amavasai*
20. *Feast of St. Fabian*
21. *Feast of St. Agnes*
22. *Sankadakara Sathurthi; Feast of St. Vincent*
24. *Feast of St. Francis de Sales*
25. *Feast of the Conversion of St. Paul*
27. *Feast of St. Angelea Merici*
28. *Feast of St. Thomas Aquinas*
29. *Eekathasi*
31. *Feast of St. John Bosco*

MOTHER EARTH

Varatha Shanmuganathan

Tsunami speaks and flash flood talks.
The Arctic ice cap weeps.
The drought keeps away the moisture
Captive and dries up the pasture.

Forest fires rage. Hurricanes and typhoons ravage.
Carbon emissions and warming oceans with them engage.

The geography, the topography
Hot, cold, icy and windy
Wild, tame and sandy
Change. That's not handy.

Mother Earth, 'Bhudevi' and 'Poomaathevi'
Respectfully addressed but is indecently abused.

The nations of the world
Respect our Earth all in all.
Kyoto Agreement and Nairobi Summit
Are meaningless unless we commit.
Commitment and Peace on Earth
Will save our beauteous Earth.

(Bhudevi- Sanskrit and Poomaathevi- Tamil)

Dancer performed with confidence, flair and freshness of flavour

Bharathanatya Arangetram of Rakshini Lakshmi Ravindran

Rakshini Lakshmi Ravindran's Bharathanatya Arangetram at the Beck Theatre on 2nd September 2006, was enthralling from start to finish. One was impressed by what one saw of Rakshini, a disciple of Smt. Indumathi Srikumar, a young dancer endowed with a pretty face and winning smile. Her involved abhinaya and execution of jathis showed that she is a dedicated learner, and has the enthusiasm and energy to portray the different facets of this form.

Rakshini commenced the recital with Aananda Nartana Ganapthim in Ragam Nattai, a composition of Oothukadu Venkata Subbaiyar. The way Rakshini presented the picturesque poses of Lord Ganesha that flashed one after the other mirrored the artiste's devotion towards the art form and her request for perfection.

The main piece of the evening was the Varnam in Ragamalika set to Khanda Jathi Ata Talam. The Varnam was embellished with numerous exacting theermanams, which she performed with aplomb. Her total involvement showed in her effortless abhinaya. Obviously, the thoroughness which she has imbibed has enabled her to put on a consummate form of Nritha and Natya.

The highlight of Rakshini Ravindran's dance Arangetram was the padam Kuyile in Ragam Yaman Kalyani. Shringara or the erotic sentiment of love is universal and timeless. In this piece the nayika or heroine is in love with Lord Muruga and she talks about her passion, and her longing to be with him. She confides her feelings to a Cuckoo bird and sends it as a messenger of her love. The expressive side of the dancer came forward in this piece. Rakshini's understanding of dance and her portrayal of the form exemplified the solitary splendour of aesthetic excellence.

The Mahishasuramarthini Sthothram – Aiygirinandhini which followed the padams was another feature in Rakshini's cap, the Bhakthi Abhinaya was portrayed effortlessly and took the audience into a spiritual mood. The finale Thillana composed by Sri Maharajapuram Santhanam in Ragam Sivaranjini was a treat to watch, Rakshini performed with charm and perfection. There was no doubt that Rakshini mesmerised the audience with her scintillating performance that night. This was fully endorsed by the evening's Guest of Honour, Ms. Nartaki Nataraj, a famous Bharatathanatyam exponent from Chennai.

A well deserved congratulations goes to the Guru, Smt. Indumathi Srikumar whose able guidance and dedication enabled Rakshini to reach such high standards. the night was further enriched by such fine accompanying artistes with Sri K Rajasekharan, a product of the famous Kalakshetra, Chennai on Vocal whose powerful singin just made the day for the audience, Mridangam by none other than Sri M. Balachandar, whose intricate playing along with the dancer's jathis and moods was simply superb, very well supported by Sri A.G.A. Gnanasundaram on Violin, Sri Thiagarajan Ramani of Chennai on flute and Selvi Shyla Shanmugalingam on Thambura.

An excellent selection of Rakshinis costumes, simple stage décor, crisp compereing by Smt. Ilamathi Skanthabalan, and above all commencing the Arangetram sharp on time added to the grandness of the night's programme. it is worth congratulating Rakshini's parents, Ravindran and Vanaja for having organised the evening so well.

Arangetram is only a stepping stone in a dancer's career, therefore, I sincerely hope and wish that Rakshini will enhance further in this fine art and reach to great heights.

Gayathri Rajasekharan, M.A., M. Phil.

'Thoorathup Pachchai'

One of the highlights of the cultural event presented by Tamil Relief Centre, Edmonton in the UK on 28 October 2006 at Salisbury School Edmonton was the drama called "Thoorathu pachai" (The grass is greener on the other side of the fence). It was written and staged entirely by the senior citizens of the TRC. The cast comprised entirely of senior citizens, barring a very few who played minor roles. The theme selected was well known and popular, but some what threadbare. Nevertheless, it was presented well by the writer and the actors made the whole story very gripping.

The play commences with an elderly lady who is in Sri Lanka, preparing to come to UK for holiday on the invitation extended by her son and daughter-in-law, who are living in the UK. Friends and relatives, who come to know of her trip, visit ostensibly to wish her, but in actual fact to send gifts through her to their kith and kin in UK. In this particular scene the author and the actors brought out the poignancy of the mentality of the visitors in sharp focus, a characteristic feature not uncommon in reality. One of her close friends, in such a visit, suggests to her to consider her nephew as a suitable marriage partner for her daughter who is of marriageable age. She treats that suggestion with complete disdain as she has already set her mind in finding a partner for her daughter in the UK, believing that the daughter could lead a cosy life in a foreign land. Having come over to UK and seen for herself the plight of the members of her expatriate community and their hectic life style, she gets disheartened. The disillusioned lady realises that it is a mirage that the grass at a distance appear greener and decides forthwith to give her daughter in marriage to her nephew who is comfortably placed in Sri Lanka.

The play effectively drives home the point viz: it is the distance that lends a charm. Every one who took part in the drama, especially the senior citizens deserve highest accolade for their dedication and efforts. One could easily notice and admire the histrionic ability of the elderly lady who played the leading role. The three elderly gentlemen who played the role of custom officers were well composed and exhibited the stern character that normally associates with this profession. Besides, they were sartorially elegant in the customs officer's uniform dress.

The actors, most of them, have taken part in the drama produced last year as well. We could confidently expect, with the experience they are gaining and honing of their dramatic skills, more impressive performance next year.

- V.P.Singam

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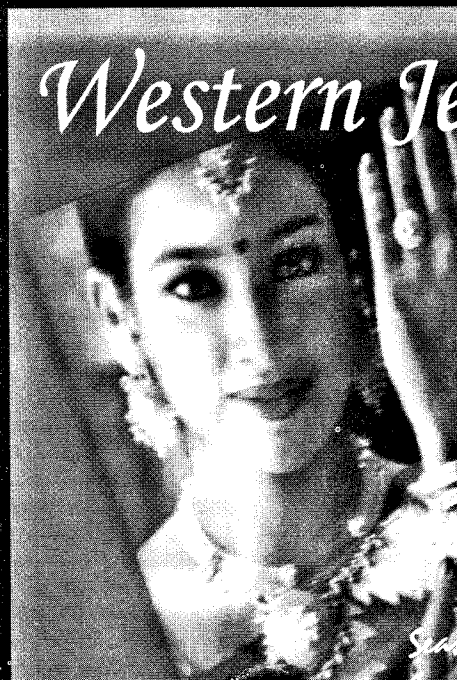

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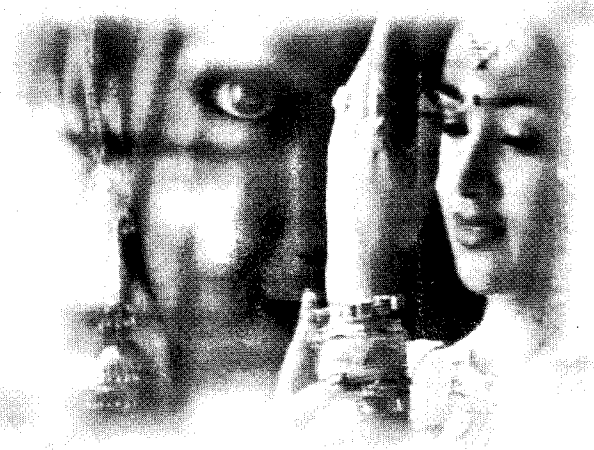

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